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FOOD AND DRUGS ACT
NOTICES OF JUDGMENT Nos. 7001-7500
UNITED STATES
DEPARTMENT OF AGRICULTURE

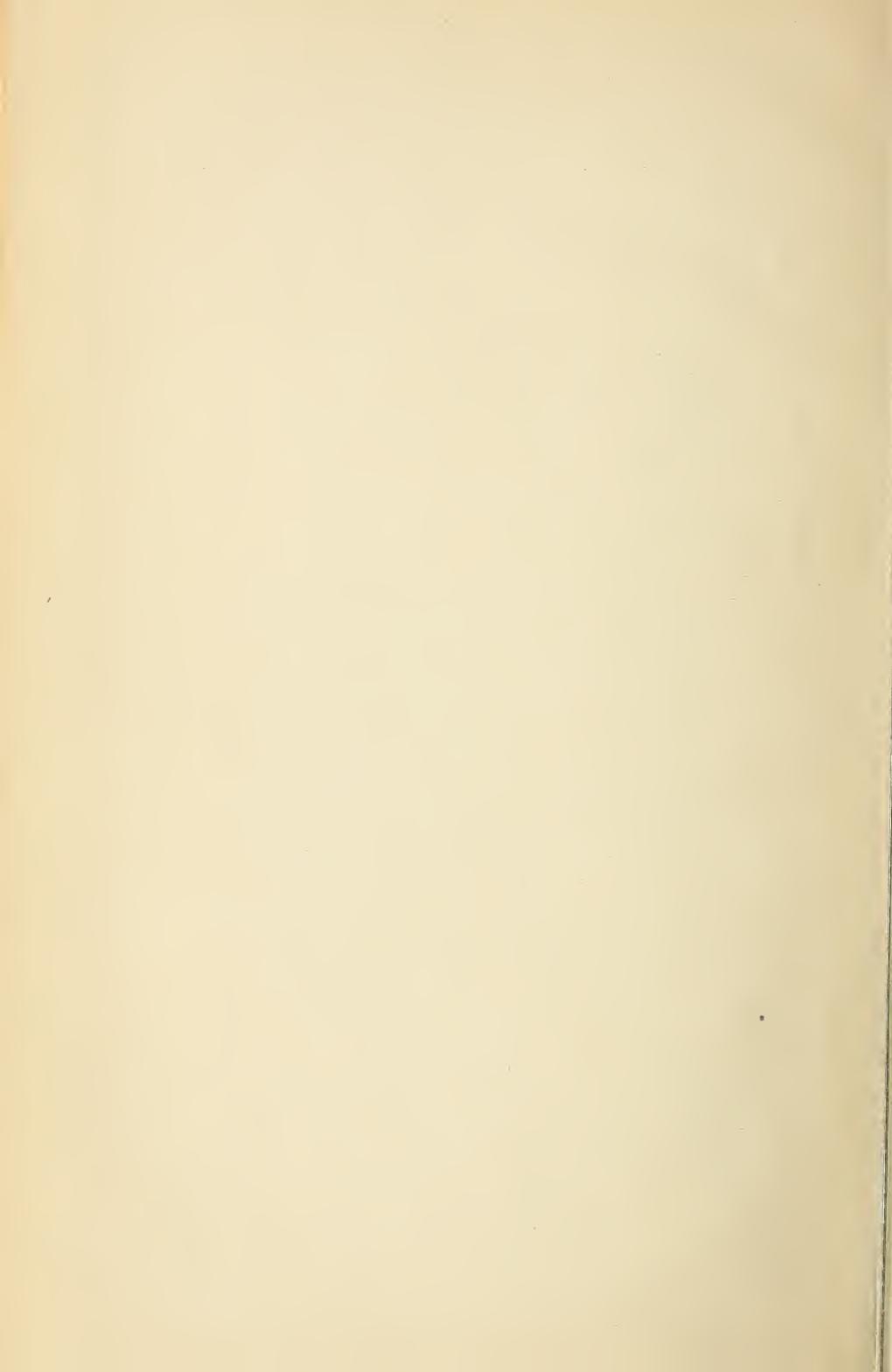
UNITED STATES
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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 7001-7050.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., June 25, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7001. Misbranding of Hall's Texas Wonder. U. S. * * * v. 35 Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9538. I. S. No. 2130-r. S. No. W-260.)

On December 14, 1918, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 bottles of Hall's Texas Wonder, remaining unsold in the original unbroken packages at San Francisco, Calif., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped on or about November 12, 1918, and transported from the State of Missouri into the State of California, and chafging misbranding in violation of the Food and Drugs Act, as amended.

Examination of a sample of the article from a previous shipment by the Bureau of Chemistry of this department showed it to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

It was alleged in the libel that the article was misbranded under the provisions of section 8, paragraph 3 of the Food and Drugs Act in that each of the bottles was labeled "The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Trouble, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Trouble in Children. One small bottle is two months' treatment," whereas the contents of the bottles were not capable of producing the therapeutic effects claimed in the label.

On January 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7002. Adulteration and misbranding of olive oil. U. S. * * * v. 3 Cases of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9539. I. S. No. 6901-r. S. No. C-1020.)

On December 19, 1918, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of olive oil, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about October 10, 1918, by the Italo American Distilling Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Termini Imerese Finest Quality Olive Oil."

Adulteration of the article was alleged in the libel for the reason that it consisted largely of cottonseed oil, and for the further reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for olive oil.

Misbranding of the article was alleged in substance for the reason that the statement borne on the label of the cans, to wit, "Termini Imerese Finest Quality Olive Oil," was false and misleading, and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil, and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic origin.

On April 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7003. Misbranding of Hall's Texas Wonder. U. S. * * * v. 26 Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9540. I. S. No. 2131-r. S. No. W-261.)

On December 16, 1918, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 bottles of Hall's Texas Wonder, remaining unsold in the original unbroken packages at San Francisco, Cal., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped on or about February 23, 1918, or April 22, 1918, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Examination of a sample of the article from a previous shipment by the Bureau of Chemistry of this department showed it to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged for the reason that it was labeled "The Texas Wonder Hall's Great Discovery for Kidney and Bladder Trouble, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Trouble in Children. One small bottle is two months' treatment," whereas the contents of the bottles were not capable of producing the therapeutic effects claimed on the label.

On January 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7004. Adulteration and misbranding of oil of birch. U. S. * * * v. 4 Cans of Alleged Oil of Birch. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9541. I. S. No. 13639-r. S. No. E-1189.)

On December 16, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cans, each containing 55 pounds of a product purporting to be oil of birch, at Linden, N. J., alleging that the article had been shipped on or about November 30, 1918, by J. B. Johnson, Hildebran, N. C., and transported from the State of North Carolina into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was sold by the shipper to the consignee in person and represented verbally by said shipper to be absolutely pure oil of birch.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of the investigation of the article, and for the further reason that the strength and purity of the article were below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith, thereby reducing, lowering, and injuriously affecting its quality and strength, and had been substituted in whole or in part for oil of birch.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oil of birch. Misbranding of the article, considered as a food, was alleged for the reason that it was an imitation of, and was offered for sale under the (distinctive) name of, another article, to wit, oil of birch, and for the further reason, in substance, that the verbal representation that the product was oil of birch was false and misleading in that it represented to the purchaser that the product was oil of birch, and for the further reason that the statement and representation as aforesaid deceived and misled the purchaser into the belief that it was pure oil of birch, whereas, in truth and in fact, it was not oil of birch, but was a product to which had been added and with which had been mixed and packed a substance, to wit, synthetic methyl salicylate.

On March 13, 1919, J. B. Johnson, Hickory, N. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department as imitation oil of birch.

E. D. BALL,
Acting Secretary of Agriculture.

7005. Adulteration and misbranding of condensed milk. U. S. * * * v. 811 Cases of * * * Alleged Sweetened Condensed Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9542. I. S. No. 14342-r. S. No. E-1187.)

On December 20, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 811 cases, each containing 48 tins of alleged sweetened condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about April 3, 1918, by the Lake Mills Milk Co., Lake Mills, Wis., and transported from the State of Wisconsin into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Quality Always J M Brand Sweetened Condensed Milk."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed [animal] substance.

Misbranding of the article was alleged for the reason that the statement borne on the label, to wit, "Condensed Milk," was false and misleading and deceived and misled the purchaser into the belief that the product was normal condensed milk, when, in truth and in fact, it was not, but was, to wit, a thickened and coagulated condensed milk.

On March 19, 1919, J. Menist Co., New York, N. Y., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act, conditioned in part that the product should be sold, used, or disposed of for fertilizer or other similar or manufacturing purposes other than for human or animal consumption.

E. D. BALL,
Acting Secretary of Agriculture.

7006. Adulteration and misbranding of condensed milk. U. S. * * * v. 1,000 Cases of * * * Alleged Sweetened Condensed Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9543. I. S. No. 14337-r. S. No. E-1186.)

On December 20, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases, each containing 48 cans of alleged sweetened condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about May 6, 1918, by the Litchfield Creamery Co., Litchfield, Ill., and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Litchfield Brand Sweetened Condensed Milk, manufactured by Litchfield Creamery Co., Litchfield, Ill., U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

Misbranding of the article was alleged for the reason that the statement borne on the label, to wit, "Condensed Milk," was false and misleading and deceived and misled the purchaser into the belief that the product was normal condensed milk, when, in truth and in fact, it was not, but was, to wit, a thickened and coagulated condensed milk.

On February 11, 1919, the said Litchfield Creamery Co., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the product

should be sorted under the supervision of a representative of this department, and that the portion found unfit for food should be destroyed or denatured and the good portion released to said claimant.

E. D. BALL,
Acting Secretary of Agriculture.

**7007. Adulteration and misbranding of oil of sassafras. U. S. * * * v.
2 Cans of Alleged Oil of Sassafras. Consent decree of condemnation
and forfeiture. Product ordered released on bond. (F. & D.
No. 9544. I. S. No. 13640-r. S. No. E-1190.)**

On December 20, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on February 10, 1919, an amended libel, for the seizure and condemnation of two cans of alleged oil of sassafras at Linden, N. J., alleging that the article had been shipped on or about November 30, 1918, by J. B. Johnson, Hildebran, N. C., and transported from the State of North Carolina into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The cans were marked with the letter "S" and the article was sold by the shipper to the consignee in person, and represented verbally by said shipper to be pure oil of sassafras.

Adulteration of the article, considered as a drug, was alleged in the amended libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of the investigation of the article, and for the further reason that the strength and purity of the said article were below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic oil of sassafras, had been mixed and packed therewith, thereby reducing, lowering, and injuriously affecting its quality and strength, and had been substituted in whole or in part for pure oil of sassafras.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, pure oil of sassafras. Misbranding of the article, considered as a food, was alleged for the reason that it was an imitation of, and offered for sale under the (distinctive) name of, another article, to wit, pure oil of sassafras, and for the further reason that the verbal representation that the article was pure oil of sassafras was false and misleading in that it represented to the purchaser that the product was pure oil of sassafras, whereas, in truth and in fact, the article purporting to be pure oil of sassafras was not oil of sassafras, but was a product other than pure oil of sassafras, to wit, a product to which had been added, and with which had been mixed and packed a substance, to wit, synthetic oil of sassafras. Misbranding of the article was alleged for the further reason that the statement and representation that the article was pure oil of sassafras were false and misleading and misled and deceived the purchaser into the belief that it was pure oil of sassafras, whereas, in truth and in fact, it was a product to which had been added, and with which had been mixed and packed, a substance, to wit, synthetic oil of sassafras.

On March 13, 1919, James B. Johnson, Hickory, N. C., claimant, having consented to a decree, judgment of condemnation and ~~forfeiture~~ was entered, and it was ordered by the court that the product should be ~~released~~ to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in

part that the article should be relabeled under the supervision of a representative of this department as imitation oil of sassafras.

E. D. BALL,
Acting Secretary of Agriculture.

7008. Adulteration and misbranding of oil of birch. U. S. * * * v. 3 Cans of a Product Purporting to be Oil of Birch. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9545. I. S. No. 13646-r. S. No. E-1191.)

On December 20, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cans of a product purporting to be oil of birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 9, 1918, by M. G. Teaster, Elk Park, N. C., from Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was represented to the purchaser thereof as birch oil.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation, and in that its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and offered for sale under the name of, another article. Misbranding of the article, considered as a food, was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, the statement, "Oil of Birch," was false and misleading and deceived the purchaser.

On June 19, 1919, Millard G. Teaster, Elk Park, N. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$222, in conformity with section 10 of the act, conditioned in part that the product should be labeled as imitation oil of birch under the supervision of a representative of this department.

E. D. BALL,
Acting Secretary of Agriculture.

7009. Misbranding of Tonic Remedy. U. S. * * * v. 10 Boxes of Tonic Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9546. I. S. No. 2328-r. S. No. W-250.)

On December 19, 1918, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 boxes of Tonic Remedy, consigned on November 11, 1918, by Teele & Co., San Francisco, Cal., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been

shipped and transported from the State of California into the State of Washington, and charging misbranding in violation of the Food and Drugs Act. The article was labeled, in part, "Tonic Remedy This wine has long been used by Invalids as a remedy for Chronic Diseases, Nervous System, Blood, Stomach, Kidney Troubles and Rheumatism. * * * Prepared by Dr. Yan Nin Tong, Canton, China."

Misbranding of the article was alleged in the libel for the reason that the label failed to bear a statement showing the quantity or proportion of alcohol present, and in that the therapeutic claims on said label were false and fraudulent.

On January 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7010. Adulteration and misbranding of tomato catsup. U. S. * * * v. 221 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9283. I. S. Nos. 9428-p, 5502-r. S. No. C-922.)

On September 4, 1918, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 221 cases, each containing 24 bottles of tomato catsup, remaining unsold in the original unbroken packages at Superior, Wis., alleging that the article had been shipped on November 13, 1917, by the Brooks Tomato Products Co., Collinsville, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "St. Clair Brand Tomato Catsup. * * * Mfgd. by Brooks Tomato Products Co., Collinsville, Ill."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding of the article was alleged in substance for the reason that it was an imitation of tomato catsup, and was offered for sale and sold under the distinctive name of tomato catsup, whereas, in truth and in fact, it was not tomato catsup, but consisted largely of a filthy, decomposed, and putrid vegetable substance, and the statements borne on the label were false and misleading, and calculated to deceive and mislead purchasers thereof.

On May 17, 1919, the said Brooks Tomato Products Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7011. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Crescent Cotton Oil Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9300. I. S. No. 9152-m.)

On April 15, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Crescent Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by

said company, under the name of F. W. Brode & Co., in violation of the Food and Drugs Act, as amended, on or about October 24, 1916, from the State of Tennessee into the State of Maine, of a quantity of an article, which was delivered for shipment pursuant to a contract as "Prime 7½% Ammonia Cotton Seed Meal," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to contain 6.63 per cent ammonia.

Adulteration of the article was alleged in the information for the reason that a product containing less than 7½ per cent of ammonia had been substituted wholly or in part for 7½ per cent of ammonia [cottonseed meal] which the article purported to be.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 28, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7012. Adulteration and misbranding of gelatin. U. S. * * * v. American Glue Co., a corporation. Plea of guilty. Fine, \$20. (F. & D. No. 9301. I. S. No. 8238-p.)

On December 13, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Glue Co., a corporation, doing business at New York, N. Y., alleging the sale by said company, on August 18, 1917, in violation of the Food and Drugs Act, as amended, under a guaranty that the article was not adulterated or misbranded within the meaning of the said act, of a quantity of gelatin, which was an adulterated and misbranded article within the meaning of said act, as amended, and which said article, in the identical condition in which it was received, was shipped by the purchaser thereof on or about August 18, 1917, from the State of New York into the State of Illinois, in further violation of the said act, as amended. The article was invoiced by the defendant company as ground gelatin.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the percentage of ash was 7.08, consisting largely of calcium sulphate.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, calcium sulphate, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for gelatin, which the article purported to be.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 8, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20.

E. D. BALL,
Acting Secretary of Agriculture.

7013. Misbranding of tomato pulp. U. S. * * * v. Leroy Marvin Langrall (Baltimore Canning Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9302. I. S. No. 1479-p.)

On February 18, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district an information against Leroy Marvin Langrall, trading as the Baltimore Canning Co., Baltimore, Md., alleging shipment by said defendant, under the name of the Southern Packing Co., in violation of the Food and Drugs Act, as amended, on or about November 15, 1917, from the State of Maryland into the State of Florida, of a quantity of an article, labeled in part "Old Scout Brand Tomato Pulp," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the weights of 18 cans to be as follows:

Cans.	Ounces.
1-----	8.9
1-----	9.0
2-----	9.1
3-----	9.2
2-----	9.3
2-----	9.4
3-----	9.5
2-----	9.6
1-----	9.7
1-----	10.3

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Contents 10 oz." borne on the labels attached to the cans containing the article, regarding it, was false and misleading in that it represented that the contents of each of said cans weighed 10 ounces, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the contents of each of said cans weighed 10 ounces, whereas, in truth and in fact, they did not weigh 10 ounces, but weighed a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 18, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7014. Misbranding of mineral spring water. U. S. * * * v. Deerfield Mineral Springs Co., a corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 9304. I. S. No. 8832-p.)

On November 15, 1918, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Deerfield Mineral Springs Co., a corporation, Deerfield, O., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 27, 1917, from the State of Ohio into the State of Kentucky, of a quantity of an article, labeled in part "Sparkling Deerfield Mineral Spring Water Lithiated," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

IONS.	Milligrams per liter.
Silica (SiO_2)-----	9.5
Sulphuric acid (SO_4)-----	125.0
Carbonic acid (CO_3)-----	0.0
Bicarbonic acid (HCO_3)-----	528.0

IONS.	Milligrams per liter.
Nitric acid (NO_3): Trace.	
Nitrous acid (NO_2)-----	0.2
Chlorin (Cl)-----	372.0
Iron (Fe) }-----	.5
Aluminum (Al) }-----	
Calcium (Ca)-----	55.3
Magnesium (Mg)-----	22.4
Potassium (K)-----	7.1
Sodium (Na)-----	332.1
Lithium (Li)-----	17.4
Ammonium (NH_4)-----	.9
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	1,470.4

HYPOTHETICAL COMBINATIONS.

Ammonium chlorid (NH_4Cl)-----	2.7
Lithium chlorid (LiCl)-----	106.5
Potassium chlorid (KCl)-----	13.5
Sodium nitrite (NaNO_2)-----	.3
Sodium chlorid (NaCl)-----	454.1
Sodium sulphate (Na_2SO_4)-----	184.8
Sodium bicarbonate (NaHCO_3)-----	338.9
Magnesium bicarbonate ($\text{Mg}(\text{HCO}_3)_2$)-----	134.8
Calcium bicarbonate ($\text{Ca}(\text{HCO}_3)_2$)-----	223.7
Ferrous bicarbonate ($\text{Fe}(\text{HCO}_3)_2$)-----	1.6
Silica (SiO_2)-----	9.5
	<hr/>
	1,470.4

Artificially carbonated.

Misbranding of the article was alleged in substance in the information for the reason that the statement, to wit, "Mineral Spring Water," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was genuine mineral spring water, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was genuine mineral spring water, whereas, in truth and in fact, it was not, but was a product artificially carbonated and artificially lithiated, and which contained added salt, prepared in imitation of mineral spring water, and for the further reason that it was an imitation product artificially carbonated and artificially lithiated, and which contained added salt, prepared in imitation of genuine mineral spring water, and was offered for sale and sold under the distinctive name of another article, to wit, mineral spring water. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 5, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7015. Adulteration and misbranding of cheese. U. S. * * * v. Frank Hoover and Merton J. Hoover (F. Hoover & Son). Pleas of guilty. Fine, \$50. (F. & D. No. 9306. I. S. No. 3854-p.)

On November 20, 1918, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank Hoover and Merton J. Hoover, copartners, trading under the firm name and style of F. Hoover & Son, Sterlingville, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 17, 1918, from the State of New York into the State of Massachusetts, of a quantity of an article, to wit, cheese, labeled in part "Whole Milk," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Solids-----	43.93
Water-----	56.07
Fat -----	16.47
Nitrogen-----	3.27
Protein (N×6.25)-----	20.43
Fat (water-free basis)-----	37.49
Fat: Protein — 1: 1.2.	

Analysis shows this product to be made from partly skimmed milk.

Adulteration of the article was alleged in the information for the reason that a product prepared from skimmed milk or partly skimmed milk had been substituted in whole or in part for whole milk cheese, which the article, by its invoice of sale, purported to be.

Misbranding of the article was alleged in substance for the reason that the statement, to wit, on shipping case, "Whole Milk," was false and misleading in that it purported that said article was prepared from whole milk and was a whole milk cheese, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the same was prepared from whole milk and was a whole milk cheese, whereas, in truth and in fact, it was not a whole milk cheese, but was a cheese prepared from skimmed, or partly skimmed, milk.

On January 6, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

E. D. BALI,
Acting Secretary of Agriculture.

7016. Adulteration and misbranding of banana liqueur. U. S. * * * v. Fialla & Eppler, Inc., a corporation. Plea of guilty. Fine, \$250. (F. & D. No. 9307. I. S. No. 2006-p.)

On December 13, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fialla & Eppler, Inc., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 22, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Triangle Brand Bananowa Style Banana Liqueur, Produced exclusively by Fialla & Eppler, Inc., New York," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed it to be a cordial artificially flavored and artificially colored, and that the average contents of 2 bottles was 1 pint, 7.88 fluid ounces.

Adulteration of the article was alleged in the information for the reason that an imitation banana cordial had been substituted in whole or in part for banana liquor, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Banana Liqueur," "Contents 1/5 Gallon," and "Contents One Quart," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was banana liquor, and that the bottles each contained 1/5 gallon and 1 quart of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was banana liquor, and that each of the bottles contained 1/5 gallon and 1 quart of the article, whereas, in truth and in fact, it was not banana liquor, but was an imitation banana cordial, and said bottles each did not contain either 1 quart or 1/5 gallon of the article, but contained a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 18, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$250.

E. D. BALL,
Acting Secretary of Agriculture.

7017. Adulteration of smoked sausage. U. S. * * * v. Jacob Katz. Collateral of \$20 forfeited. (F. & D. No. 9309. I. S. No. 3357-p.)

On April 30, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Jacob Katz, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of smoked sausage which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Starch -----	5.8
Cereal -----	8.3

Adulteration of the article was alleged in the information in that a substance, to wit, a cereal product, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for smoked sausage, which the article purported to be.

On April 30, 1919, the defendant having failed to appear, the collateral of \$20 that had theretofore been deposited by him was forfeited by order of the court.

E. D. BALL,
Acting Secretary of Agriculture.

7018. Adulteration of smoked sausage. U. S. * * * v. Harry Gelfand (Eagle Meat Market). Plea of nolo contendere. Fine, \$20. (F. & D. No. 9311. I. S. No. 3361-p.)

On November 27, 1918, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police

Court of the District aforesaid an information against Harry Gelfand, trading as Eagle Meat Market, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on February 14, 1918, a quantity of smoked sausage which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Starch	3.5
Cereal	5.0

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a cereal product, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for smoked sausage, which the article purported to be.

On November 27, 1918, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$20.

E. D. BALL,
Acting Secretary of Agriculture.

7019. Adulteration of smoked sausage. U. S. * * * v. Benjamin Bauman and Louis Schurman (Bauman & Schurman). Collateral of \$25 forfeited. (F. & D. No. 9312, I. S. No. 3366-p.)

On August 26, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information against Benjamin Bauman and Louis Schurman, copartners, trading as Bauman & Schurman, Washington, D. C., alleging that said defendants did offer for sale and sell, at the District aforesaid, in violation of the Food and Drugs Act, on February 14, 1918, a quantity of smoked sausage which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Starch	5.5
Cereal	7.8

Adulteration of the article was alleged for the reason that a substance, to wit, a cereal product, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for smoked sausage, which the article purported to be.

On August 26, 1919, the defendants having failed to appear, the \$25 collateral that had theretofore been deposited by them to insure their appearance was ordered forfeited by the court.

E. D. BALL,
Acting Secretary of Agriculture.

7020. Adulteration of smoked sausage. U. S. * * * v. Old Dutch Market, a corporation. Plea of nolo contendere. Fine, \$200. (F. & D. No. 9313. I. S. Nos. 3344-p, 3346-p.)

On November 27, 1918, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against the Old Dutch Market, a corporation, doing business at Washington, D. C., alleging that said company did offer for sale and sell at the District aforesaid, in violation of the Food

and Drugs Act, on February 6, 1918, quantities of smoked sausage which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results.

	1st sample. Per cent.	2d sample. Per cent.
Starch-----	4.5	4.8
Cereal-----	6.4	6.9

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a cereal product, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for smoked sausage, which the article purported to be.

On November 27, 1918, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$200.

E. D. BALL,
Acting Secretary of Agriculture.

7021. Adulteration of smoked sausage. U. S. * * * v. Frank H. Wurzbach. Plea of nolo contendere. Fine, \$20. (F. & D. No. 9315. I. S. No. 3343-p.)

On November 27, 1918, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Frank H. Wurzbach, Washington, D C., alleging that said defendant did offer for sale and sell, at the District aforesaid, in violation of the Food and Drugs Act, on February 6, 1918, a quantity of smoked sausage which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Starch-----	8.4
Cereal-----	12.0

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a cereal product, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for smoked sausage, which the article purported to be.

On November 27, 1918, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$20.

E. D. BALL,
Acting Secretary of Agriculture.

7022. Adulteration and misbranding of cognac type brandy. U. S. * * * v. Arrow Distilleries Co., a corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 9318. I. S. No. 21681-m.)

On November 19, 1918, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Arrow Distilleries Co., a corporation, Peoria, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 15, 1917, from the State of Illinois into the State of New Mexico, of a quantity of an article, labeled in part "Jules Marquies Brand Cognac Type Brandy," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results expressed, unless otherwise stated, as grams per 100 liters to 100 proof alcohol:

Proof at 60° F. (degrees) -----	81.6
Solids -----	282.5
Acids, total, as acetic-----	7.4
Esters, as acetic-----	17.4
Aldehydes, as acetic-----	2.4
Fusel oil -----	1.0

Furfural: None.

Color insoluble in amyl alcohol (per cent)----- 78

Paraldehyde test for caramel: Positive.

Caramel: Present.

Product consists largely of neutral spirits colored with caramel.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, neutral spirits, had been mixed and packed therewith, so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for cognac type brandy, which the article purported to be, and for the further reason that it was colored with caramel in a manner whereby its inferiority to cognac type brandy was concealed.

Misbranding of the article was alleged in substance for the reason that the statements, to wit, "Brandy" and "Cognac Type," borne on the labels, were false and misleading in that they purported and represented to the purchaser thereof that the article was a brandy of a cognac type, and for the further reason that it was labeled as aforesaid, so as to deceive and mislead the purchaser thereof into the belief that it was a brandy of a cognac type, whereas, in truth and in fact, it was not a brandy of a cognac type, but was an article composed in whole or in part of neutral spirits and artificial coloring matter.

On January 18, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7023. Adulteration of cheese. U. S. * * * v. 59 Boxes of Cheese. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9319. I. S. No. 5820-r. S. No. C-973.)

On September 9, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 59 boxes, containing about 2,394 pounds of cheese, at Chicago, Ill., alleging that the article had been shipped on August 27, 1918, by the Plymouth Cheese Co., Mineral Point, Wis., and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On September 10, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7024. Adulteration and misbranding of oil of wintergreen. U. S. * * * v. 2 Cans * * * of a Product Invoiced as "Oil Wintergreen."
Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9320. I. S. No. 13611-r. S. No. E-1111.)

On September 10, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, amounting to 108 pounds of a product invoiced as "Oil Wintergreen," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about August 15, 1918, by J. B. Johnson, Hickory, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the U. S. Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, and its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oil wintergreen leaf.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil wintergreen leaf [oil wintergreen], and for the further reason that the statement on the invoice, "Oil Wintergreen Leaf" [Oil Wintergreen], was false and misleading and deceived and misled the purchaser.

On March 10, 1919, the said J. B. Johnson, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$216, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as imitation oil of wintergreen.

E. D. BALL,
Acting Secretary of Agriculture.

7025. Adulteration and misbranding of birch oil. U. S. * * * v. 4 55-Pound Cans of Birch Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9321. I. S. No. 13613-r. S. No. E-1113.)

On September 11, 1918, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 55-pound cans of birch oil at Brooklyn, N. Y., alleging that the article had been shipped on or about August 27, 1918, by M. G. Teaster, Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Birch Oil. From M. G. Teaster, Elk Park, N. C."

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of the investigation, and in that its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of

the article, considered as a food, was alleged for the reason that a certain substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, and, considered as a food, for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, and in that the statement "Birch Oil" was false and misleading and deceived and misled the purchaser.

On November 1, 1918, the said Millard G. Teaster, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$832, in conformity with section 10 of the act, conditioned in part that said product should be properly relabeled.

E. D. BALL,
Acting Secretary of Agriculture.

7026. Adulteration and misbranding of table oil. U. S. * * * v. 5 Cases of Table Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9323. I. S. No. 14720-r. S. No. E-1115.)

On September 13, 1918, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on February 18, 1919, an amended libel, praying the seizure and condemnation of 5 cases of table oil, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped on or about August 24, 1918, by Crisafulli Bros., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that corn oil and cottonseed oil had been substituted wholly or in part for olive oil compounded with corn oil.

Misbranding of the article was alleged for the reason that the statement in prominent type, "Finest Quality Table Oil La Migliore Brand Insuperabile," and the statement in inconspicuous type, "Corn Salad Oil Compounded with," and the statement in more prominent type, "Extra Fine Olive Oil," with the designs of an olive tree and an olive branch bearing olives, conveyed the impression that the article was olive oil, when, in fact, it was not, but was composed almost entirely of cottonseed oil and corn oil; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, when, in truth and in fact, it was not, but consisted almost entirely of cottonseed oil and corn oil. Misbranding of the article was alleged for the further reason that the quantity of the contents of each can was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On May 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal after the obliteration of the labels on the containers of said product.

E. D. BALL,
Acting Secretary of Agriculture.

- 7027. Adulteration and misbranding of evaporated milk. U. S. * * * v. 25 Cases of Alleged Evaporated Milk and U. S. * * * v. 25 Cases of Alleged Evaporated Milk. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. Nos. 9547, 9547-a. I. S. Nos. 5760-r, 5762-r. S. No. C-1023.)**

On December 24, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 25 cases and 25 cases, each containing 48 cans of alleged evaporated milk, at Kansas City, Mo., alleging that the article had been shipped on or about November 15, 1918, and December 5, 1918, by the Oatman Condensed Milk Co., Dundee, Ill., and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libels for the reason that it was watery in consistency, badly separated and sour, and consisted in whole or in part of a decomposed animal substance.

Misbranding of the article was alleged for the reason that the cans were not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On February 7, 1919, the said Oatman Condensed Milk Co., claimant, having admitted all material allegations contained in the libels and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be separated under the supervision of a representative of this department, and that the portion found fit for human consumption should be released and the unfit portion destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

- 7028. Adulteration of evaporated milk. U. S. * * * v. 4,000 Cases of Evaporated Milk. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. No. 9548. I. S. Nos. 5612-r, 5613-r, 5614-r, 5619-r. S. No. C-1022.)**

On December 23, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4,000 cases, each containing 48 cans of an article designated as evaporated milk, at Dundee, Ill., in possession of the Oatman Condensed Milk Co., Dundee, Ill., alleging that the article had been shipped on August 31, 1918, September 3, 1918, and September 13, 1918, and transported from the State of Pennsylvania into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part "Oatman's Brand Evaporated Milk * * *. The Oatman Condensed Milk Co., Dundee, Ill., U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance.

On January 18, 1919, the Oatman Condensed Milk Co., Dundee, Ill., claimant, having admitted the material allegations in the libel and consented to a decree,

judgment of condemnation and forfeiture was entered, and it was ordered in effect by the court that the goods might be sorted, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the entire consignment should be examined by a representative of this department, and that all cans of the product found to be fit for human food should be delivered to the claimant and that portion found to be unfit for human food should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7029. Adulteration and misbranding of olive oil. U. S. * * * v. 31½ Gallons of Alleged Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9549. I. S. No. 6286-r. S. No. C-1024.)

On December 26, 1918, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 31½ gallons of an article represented to be olive oil, remaining unsold in the original unbroken packages at Galveston, Tex., alleging that the article had been shipped on or about October 2, 1918, by A. J. Barbanera, New York, N. Y., and transported from the State of New York into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled "Extra Fine Quality Oil D'Annunzio Brand," (in small type) "Corn Oil" and "Style," and "Specialty Lucca Trade Mark Packed by A. J. Barbanera." Instead of "Specialty Lucca" part of the product was labeled "Termini Imerese," and a part "Bitonto." A portion of the cans were also labeled "Net Contents ½ Gallon," a portion "Net Contents ¼ Gallon," and a portion "Net Contents 1 Gallon."

Adulteration of the article was alleged for the reason that it was composed in part of a filthy substance, consisting of rat and mouse excreta and dirt, and for the further reason that cottonseed oil had been mixed and packed therewith so as to reduce or lower and injuriously affect its quality and strength and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements borne on the labels as above set forth were false and misleading and deceived and misled the purchaser for the reason that the words in inconspicuous type did not sufficiently correct the impression produced by the remainder of the label; and for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that the cans were labeled "One Quarter," "One Half," and "One Gallon," whereas the cans showed an average shortage of 12.5 per cent; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and correctly marked on the outside of the package in terms of weight, measure, or numerical count.

On January 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on March 25, 1919, it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7030. Misbranding of Texas Wonder. U. S. * * * v. 24 Packages and 76 Packages of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9550, 9551. I. S. Nos. 2446-r, 2447-r. S. Nos. W-262, 263.)

On or about December 26, 1918, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 24 packages and 76 packages of Texas Wonder, remaining unsold in the original unbroken packages at Los Angeles, Cal., alleging that the article had been shipped on April 17, 1918, and on April 1, 1918, October 4, 1918, and December 4, 1918, by E. W. Hall, St. Louis Mo., and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Texas Wonder, Hall's Great Discovery for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Trouble in Children."

Examination of a sample of the article from a previous shipment by the Bureau of Chemistry of this department showed it to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements borne on the labels of the packages were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it. Misbranding of the article was alleged in substance for the further reason that the statement borne on the package, to wit, "Dr. E. W. Hall, Sole Manufacturer," indicated that the article was manufactured by a physician, whereas, in truth and in fact, the said E. W. Hall was not a physician.

On June 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7031. Adulteration and misbranding of olive oil. U. S. * * * v. 3 Cases and 8 Quart Cans of Alleged Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9553. I. S. No. 5860-r. S. No. C-1025.)

On December 27, 1918, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases and 8 quart cans of alleged olive oil at Akron, O., alleging that the article had been shipped on or about August 13, 1918, by the Italio American Distilling Co., Chicago, Ill., and transported from the State of Illinois into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled: (On cans) "One Full Quart Net Italy Pure Olive Oil (design of medals) Philip Berio & C Lucca Tuscany" (On cases) "Italian Produce Pure Olive Oil * * * Berio & C Lucca Tuscany Italy * * * 40 One Quart Cans."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil and corn oil had been mixed and packed with, and substituted for, olive oil, which the article purported to be, so as to reduce and lower its quality, strength, and value.

Misbranding of the article was alleged for the reason that the above-quoted statements borne on the labels of the cans and cases, together with the designs

and general appearance of the label, were false and misleading and deceived and misled the purchaser in that said statements indicated that the cans contained pure olive oil, when, in truth and in fact, cottonseed oil and corn oil had been substituted in part for the article, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil, and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic origin, and in that it was labeled 1 full quart net, whereas examination showed an average shortage of 5.94 per cent of the declared contents. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7032. Adulteration and misbranding of olive oil. U. S. * * * v. 24 One-half Gallons and 48 Quarts of Olive Oil (so called). Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9554. I. S. No. 12709-r. S. No. E-1195.)

On December 23, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 half gallons and 48 quarts of olive oil (so called), remaining unsold in the original unbroken packages, at Hartford, Conn., alleging that the article had been shipped on or about November 8, 1918, by Adolph Panarelli, New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Olio Puro D'Oliva."

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted almost wholly for the product purporting to be olive oil.

Misbranding of the article was alleged in substance for the reason that the labels on the cans bore a certain statement and design regarding the article which were false and misleading, that is to say, the labels bore the following words, "Olio Puro D'Oliva," and the design of a picture of natives of Italy gathering olives, which statement, words, and design were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not, and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture, packed in the United States; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was labeled "Full Half Gallon" and "Full Quarter Gallon," respectively, whereas there was a shortage in the alleged $\frac{1}{2}$ -gallon cans of 6 per cent and in the alleged $\frac{1}{4}$ -gallon cans of 7.8 per cent. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not

plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 27, 1919, the said Adolph Panarelli, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

**7033. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 2
Cases of Aspirin Tablets. Default decree of condemnation, for-
feiture, and destruction. (F. & D. No. 9555. I. S. Nos. 14348-r, 14349-r.
S. No. E-1197.)**

On December 26, 1918, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 case, containing 12 cans of aspirin tablets, and 1 case, containing 25 cans of aspirin tablets, at Brooklyn, N. Y., alleging that the article had been shipped on or about December 19, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and was being transported from the State of New York into the States of Arkansas and Montana, respectively, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Acetyl-Salicylic Acid Tablets 'Aspirin' Verandah Chemical Co., Brooklyn, N. Y."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the product contained no acetylsalicylic acid (aspirin), but consisted essentially of milk sugar and starch, with a small amount of free salicylic acid.

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the labeling thereof was false and misleading, and for the further reason that it was an imitation of, and was offered for sale under the name of, another article.

On January 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

**7034. Adulteration and misbranding of process butter. U. S. * * * v.
10,000 Pounds * * * of a Substance Purporting to be Process
Butter. Consent decree of condemnation and forfeiture. Product
ordered released on payment of costs of proceedings. (F. & D. No.
9556. I. S. No. 15647-r. S. No. E-1192.)**

On December 26, 1918, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a district court, a libel for the seizure and condemnation of 10,000 pounds of a substance purporting to be process butter, at Washington, D. C., alleging that the article had been shipped on December 12, 1918, by Charles M. Shank, Middletown, Md., and transported from the State of Maryland into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Process Butter Strictly Pure."

Adulteration of the article was alleged in the libel for the reason that an excessive amount of water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for process butter, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Process Butter," was false and misleading and deceived and misled the purchaser into the belief that it was process butter, whereas, in truth and in fact, it was not, but was a butter containing an excessive amount of water, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, process butter, whereas, in truth and in fact, it was not.

On March 25, 1919, the said Charles M. Shank, claimant, having entered his appearance, judgment of condemnation and forfeiture was entered, and it was ordered by the court that, upon the payment of the costs of the proceedings, the product should be released to said claimant, upon condition that it should be reworked under the supervision of the deputy collector of internal revenue for the District of Maryland.

E. D. BALL,
Acting Secretary of Agriculture.

7035. Adulteration of catsup. U. S. * * * v. 1,750 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. No. 9557. I. S. No. 2327-r. S. No. W-257.)

On January 16, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,750 cases, each containing 6 tins of tomato catsup, consigned on or about October 30, 1918, by John W. McCarthy, Jr., & Co., San Francisco, Cal., alleging that the article had been shipped and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On February 7, 1919, the said John W. McCarthy, Jr., & Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$6,000, in conformity with section 10 of the act, conditioned in part that the product should be inspected under the supervision of a representative of this department, and that the good portion found fit for consumption should be released to said claimant, and the unfit portion destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7036. Adulteration and misbranding of evaporated milk. U. S. * * * v. 50 Cases of Alleged Evaporated Milk. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. No. 9560. I. S. No. 5820-r. S. No. C-1026.)

On December 30, 1918, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of a product, unlabeled, alleged to be evaporated

milk, at Davenport, Iowa, alleging that the article had been shipped on or about December 23, 1918, by the Oatman Condensed Milk Co., Dundee, Ill., and transported from the State of Illinois into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On April 30, 1919, the said Oatman Condensed Milk Co., having admitted all material allegations of the libel, and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be sorted and examined under the supervision of a representative of this department, and that the good portion should be released to said claimant, and the unfit portion destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7037. Adulteration and misbranding of oil of wintergreen. U. S. * * *
v. One Can of So-called Oil of Wintergreen. Consent decree of
condemnation and forfeiture. Product ordered released on bond.
(F. & D. No. 9561. I. S. No. 13642-r. S. No. E-1200.)

On December 30, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one can containing 50 pounds of a product purporting to be oil of wintergreen, at Linden, N. J., alleging that the article had been shipped on or about November 30, 1918, by J. B. Johnson, Hildebran, N. C., and transported from the State of North Carolina into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of the investigation of the article, and for the further reason that the strength and purity of the article were below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith, thereby reducing, lowering, and injuriously affecting its quality and strength, and had been substituted in whole or in part for oil of wintergreen.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, pure oil of wintergreen. Misbranding of the article, considered as a food, was alleged for the reason that it was an imitation of and was offered for sale under the (distinctive) name of another article, to wit, pure oil of wintergreen, and for the further reason that the representation that the article was pure oil of wintergreen was false and misleading in that it represented to the purchaser that the product was pure oil of wintergreen,

whereas in truth and in fact it was not, but was a product to which had been added and with which had been mixed and packed a substance, to wit, synthetic methyl salicylate.

On March 13, 1919, J. B. Johnson, Hickory, N. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department as imitation oil of wintergreen.

E. D. BALL,
Acting Secretary of Agriculture.

7038. Adulteration of shell eggs. U. S. * * * v. 248 Cases * * * of Shell Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9566. I. S. No. 14916-r. S. No. E-1188.)

On December 12, 1918, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 248 cases, each containing 30 dozen shell eggs, consigned by John K. Lasher & Bro., New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about November 30, 1918, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the shipment contained a considerable proportion of decomposed eggs of the grades known as rots and spots.

On December 31, 1918, the said John K. Lasher & Bro., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the eggs should be recanceled under the supervision of a representative of this department.

E. D. BALL,
Acting Secretary of Agriculture.

7039. Adulteration of evaporated milk. U. S. * * * v. 138 Cases of Evaporated Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9568. I. S. No. 15275-r. S. No. E-1201.)

On January 6, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 138 cases of evaporated milk, consigned on or about December 14, 1918, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Elk-horn Brand Unsweetened Evaporated Milk."

Adulteration of the article was alleged in the libel for the reason that the article consisted in part of a filthy, decomposed, and putrid animal substance.

On April 14, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

- 7040. Adulteration of frozen eggs. U. S. * * * v. 9 Cans and 10 Cans * * * of Frozen Eggs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 9575, 9576. I. S. Nos. 15649-r, 15650-r. S. No. E-1205.)

On January 18, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District court, libels for the seizure and condemnation of 9 cases and 10 cans, each containing approximately 40 pounds of frozen eggs, at Washington, D. C., alleging that the article had been shipped on or about September 9, and September 19, 1918, by Stricker Bros., Baltimore, Md., and transported from the State of Maryland into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

On April 17, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

- 7041. Adulteration of tomato sauce. U. S. * * * v. 22 Cases of Tomato Sauce. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9577. I. S. No. 15641-r. S. No. E-1175.)

On January 18, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 cases of tomato sauce, consigned November 20, 1917, remaining unsold in the original unbroken packages at Hagerstown, Md., alleging that the article had been shipped by James Chieves & Co., Courtland, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Aurora Brand Pura Salsa Di Pomidoro Packed for James Chieves & Co., New York. Packed by Tidewater Packing Co., Courtland, Virginia."

Adulteration of the article was alleged in the libel for the reason that it consisted of a filthy, decomposed, and putrid vegetable substance.

On March 14, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

- 7042. Adulteration and misbranding of mineral water. U. S. * * * v. 335 Cases of Mineral Water. Consent decree of condemnation, forfeiture, and destruction. Empty containers released on bond.** (F. & D. No. 9579. I. S. No. 7454-r. S. No. C-1033.)

On January 17, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 335 cases of mineral water, remaining unsold in the orig-

inal unbroken packages at Shreveport, La., alleging that the article had been shipped on or about December 12, 1918, by the Crazy Well Water Co., Mineral Wells, Tex., and transported from the State of Texas into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label, to wit, "For Rheumatism, Functional [Stomach] Diseases, Liver Diseases (not organic), Cystitis, Diabetes, Brights Disease," were false and fraudulent in that the same were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof and create in the minds of purchasers thereof, the impression and belief that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, in the treatment of the aforesaid diseases, when, in truth and in fact, the article was not in whole or in part composed of, and did not contain, ingredients, nor a combination of ingredients, capable of producing the therapeutic effects claimed on the labels, and therefore was not effective as a remedy for said above-named ailments.

On March 10, 1919, the said Crazy Well Water Co., claimants, having admitted the truth of the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that the bottles, when emptied of their contents, should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7043. Adulteration of catsup. U. S. * * * v. 1,000 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9580. I. S. No. 2551-r. S. No. W-264.)

On January 15, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,000 cases, each containing 24 bottles of tomato catsup, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped on October 4, 1918, by the Red Wing Co., Fredonia, N. Y., and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Wellmen Brand Tomato Catsup."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On May 28, 1919, the said Red Wing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7044. Adulteration and misbranding of olive oil. U. S. * * * v. 13 Cases of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9581. I. S. No. 15371-r. S. No. E-1207.)

On January 17, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 cases, each containing twelve 1-gallon cans, and seven 1-gallon cans of olive oil, consigned on December 28, 1918, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Herman Kienzler Co., New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "One Gallon La Reine de Nice Olive Oil Trade Mark H. K. This Olive Oil is pressed from Queen Olives at Nice, France, famous for ranking first in quality. It is warranted strictly pure and testified to under oath by the official City Chemist of Nice. La Reine de Nice Olive Oil is absolutely the Best. Herman Kienzler Co., New York. The undersigned, Chemist Expert of the Town Hall of Nice, declares that the Olive Oil, Reine de Nice, after undergoing a severe analysis, has been found a strictly pure Olive Oil. H. Caff, 80 Boulevard Gambetta, Nice (Chemiste Expert du Museum de Paris)." (On side of can) "First Pressing Virgin Olive Oil Guaranteed Pure."

Adulteration of the article was alleged in the libel for the reason that cotton-seed and peanut oils had been mixed and packed with, and substituted wholly or in part for, olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the above-quoted labeling was false and misleading, and such as to deceive and mislead the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil.

On March 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled and sold at public auction by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7045. Adulteration of condensed skimmed milk. U. S. * * * v. 372 Cases * * * Condensed Skimmed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9582. I. S. No. 14356-r. S. No. E-1209.)

On January 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 372 cases, each containing 48 cans of condensed skimmed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 30, 1918, and transported from the State of Connecticut into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Value Brand Sweetened Condensed Skimmed Milk * * * Packed by Merton Dairy Products Co., Merton, Wis."

Adulteration of the article was alleged in the libel for the reason that it consisted particularly of a decomposed animal product.

On March 14, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court

that the product should be destroyed by the United States marshal, or if said property could be disposed of for fertilizer or other similar or manufacturing purposes, other than for human or animal consumption, that such disposition of it might be made.

E. D. BALL,
Acting Secretary of Agriculture.

7043. Adulteration and misbranding of olive oil. U. S. * * * v. Nicholas S. Monahos. Tried to the court and a jury. Verdict of guilty. Fine, \$200 and costs. (F. & D. No. 9583. I. S. No. 13718-r.)

On April 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nicholas S. Monahos, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on April 23, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled "Olio Sopraffino Qualita Superiore Olio Finissimo Olive Oil Tripolitania Brand," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be cottonseed oil.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio Sopraffino Qualita Superiore," and "Olio Finissimo Olive Oil," together with the designs and devices of the Italian coat of arms, Italian flags, and crowns, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that by the statements on the label it purported to be a foreign product, when not so.

On July 24, 1919, the case having come on to be tried by the court and a jury, after the submission of evidence and arguments by counsel, the following charge was delivered to the jury by the court (Smith, D. J.):

Gentlemen of the jury: There are two counts and certain charges in the indictment against the defendant, one of which is being tried. The first count charges him with shipping or causing to be shipped, a number of cans of a food article which is alleged to have been adulterated, and the second count charges him with shipping or causing to be shipped from one State to another, an article of food in cans that were misbranded.

The first count charges that on the 23rd day of April, 1918, he shipped and caused to be shipped from the city of New York, in the State of New York, to the city of New Haven, in the State of Connecticut, a number of cans containing an article of food, to Domenico Sylvestro, and the charge in this count sets out the words and figures with which these cans were branded or marked, and which is in evidence before you.

It is charged in the first count, gentlemen, that the contents of these cans were shipped as pure olive oil, and that they were adulterated by reason of the fact that they contained cottonseed oil mainly, and that only part of the contents of the can was composed of olive oil.

In other words, it was a compound or mixture of olive oil and cottonseed oil.

Now the statute provides that an article of food is adulterated if any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, or if any substance has been substituted wholly or in part for the article.

If you find from the evidence, gentlemen, that this was shipped as olive oil, and you find that it was made up mainly of cottonseed oil as well as olive oil, the defendant would be guilty of shipping adulterated food, and it would be your duty to find him guilty on the first count.

The second count charges this shipment of cans to have been misbranded. The misbranding charged is that it was branded as olive oil, whereas in fact it was made up largely of cottonseed oil as well, and also that by certain devices on the can, and the wording of the label, taken together, it was misleading, in that it created the impression that it was an imported article from Italy, whereas as a matter of fact it was a domestic product, manufactured in this country, made up of cottonseed oil and olive oil.

Now, gentlemen, if you believe that the defendant shipped or caused to be shipped these cans, or any one of them, and that they were branded, "Olive Oil," and if you find that they were made up of olive oil and cottonseed oil, the defendant would be guilty of shipping misbranded articles of food, and you would find him guilty; or, if you find that the label represented that this was a foreign product, manufactured in and imported from Italy, you will find the defendant guilty because he would in that case be guilty of a misbranding.

On the other hand, gentlemen, if you believe from the evidence before you that the label on the can stated that it was a compound of these two ingredients, olive oil and cottonseed oil, the representation that it was something else than what it was, would not be proven.

In that case you would find the defendant not guilty, unless you believe that it contained a representation that it was an imported article. In that case it would be your duty to find the defendant guilty.

Now, gentlemen, as to the defendant in this case, as to his connection with these transactions, the law is that not only the person who directly commits an act constituting an offense is guilty, but those who aid, abet, counsel, induce, or procure another to commit an offense, are also guilty as if they themselves committed it. If the defendant was the proprietor of the business, engaged in the shipping of these articles, and he was at any time engaged in the business of shipping adulterated or misbranded articles of food, if you should find that from the facts and circumstances before you, and that his employees were specially or generally authorized to do that sort of thing, and in pursuance of that authority that some of his employees, instead of himself, made the shipment here in question, it would be the same as if the defendant himself did it; if it was done under his direction, of course it would be the same as if he did it himself.

Now, gentlemen of the jury, you have heard all the testimony in the case, and I hope I have made the law sufficiently clear to enable you to understand the issues involved in both counts of the indictment. It is for you to say what the facts are, whether or not the defendant is guilty upon the charges contained in these two counts.

A defendant is presumed to be innocent until his guilt is established by the evidence beyond a reasonable doubt. If you have a reasonable doubt, as to his guilt, it would be your duty to acquit him.

JUROR No. 7. Your Honor, will you define the word, "shipper," to me? Who is the shipper?

THE COURT. A shipper is any person who delivers to a carrier any article to be carried to some consignee and delivered to him, or any person who aids or abets another, or counsels or induces or procures another to do so; he is the shipper.

JUROR No. 7. Then the owner is not the shipper if he directs merchandise to be shipped to a certain point—

THE COURT. He is the shipper.

JUROR No. 7. He is the shipper, the owner is the shipper?

THE COURT. The owner is the shipper if he participates in it, and the person who actually does it is a shipper. All persons who actually do it, or

all persons who direct it to be done, or aid or abet it to be done, or induce it to be done, or participate in it in any way, are shippers.

I do not believe, gentlemen, that I have called your attention to what constitutes a misbranding; I have overlooked that. An article is misbranded if it is labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so.

Mr. EILPERIN. May I ask your Honor to charge the jury that no inference of guilt can arise from the omission of the defendant to testify on his own behalf?

The COURT. How is that? I did not get that.

Mr. EILPERIN. I say, that the failure or omission of the defendant to give testimony on his own behalf, ought not to militate against him or to justify an inference of guilt.

The COURT. The law is, gentlemen, that a defendant in a criminal case may or may not take the stand as a witness; as he chooses.

Mr. EILPERIN. And that his plea of not guilty is a denial of the matters—

The COURT. Just a moment, sir, until I get through with the charge that you requested.

Mr. EILPERIN. I beg your pardon.

The COURT. It is optional with him as to whether or not he will take the stand and testify as a witness. In this case the defendant has not elected to testify; but that fact, gentlemen, should create no presumption against him, and create no prejudice in your minds against him.

Mr. EILPERIN. That the defendant in law is presumed to be of good character, and that in and of itself is sufficient to create a reasonable doubt.

The COURT. Refused.

Mr. EILPERIN. Exception. That if the jury believe that Sylvestro testified falsely in any particular, they are at liberty to disregard his whole testimony.

The COURT. Refused.

Mr. EILPERIN. Exception. That if the jury believe that the defendant shipped cans of oil with the mark or inscription or label of cottonseed oil or compound, that in that circumstance they must return a verdict of not guilty.

The COURT. The jury has been already so instructed.

Mr. EILPERIN. I except to your Honor's refusal to charge as requested. I ask your Honor to charge that there is testimony in this case that the defendant did make such a shipment with such an inscription or label, to wit: Compound Cottonseed Oil, and that because of that the jury are required to find the defendant not guilty.

The COURT. Refused.

Mr. EILPERIN. Exception. I ask your Honor to charge that the denial of the motions heretofore made by counsel, and the refusal of the Court to charge as requested, do not create an inference of guilt on the part of the defendant, nor an intimation that the Court believes the defendant guilty of the crime charged.

The COURT. Refused. Exception noted.

Mr. EILPERIN. Exception. That if in considering the testimony in this case the jury get to the point where there is a doubt as to whether the defendant did or did not do it, in that circumstance they must acquit him.

The COURT. The jury has been already so instructed.

Mr. EILPERIN. I except to your Honor's refusal to charge. I ask your Honor to charge that in considering the guilt or innocence of the defendant, it must be done in the light of this presumption, and in the light of the presumption of good character and innocence.

The COURT. Refused.

Mr. EILPERIN. Exception.

Mr. TAYLOR. If the Court please, I would like the Court to instruct the jury that as far as the issues in this case are concerned, it is immaterial whether the dealer, Sylvestro, knew what he was buying or not.

The COURT. Gentlemen of the jury, it is not material in this case as to whether or not the purchaser, Sylvestro, was misled or deceived in this transaction. It has nothing whatever to do with the case. The question is, did the defendant ship, from one State to another, adulterated food, or did he ship such food misbranded, under the instructions I have already given you.

The jury thereupon retired, and after due deliberation returned into court with a verdict of guilty, and the court imposed a fine of \$200 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7047. Adulteration and misbranding of vinegar. U. S. * * * v. Ernest B. Van Keuren and William S. Van Keuren (Van Keuren Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 9584. I. S. No. 19861-p.)

On August 15, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ernest B. Van Keuren and William S. Van Keuren, copartners, trading as the Van Keuren Co., Savona, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about December 3 or 5, 1917, from the State of New York into the State of Ohio, of a quantity of an article, labeled in part "Pure Cider Vinegar," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 cc., unless otherwise stated:

Alcohol (per cent by volume)	0.38
Glycerin	.10
Total solids	1.80
Reducing sugars as invert after inversion after evaporation	.58
Nonsugar solids	1.22
Total ash	.23
Total acid as acetic	3.59
Color (brewer's scale, 1 inch cell)	11.00

The analysis shows the article to contain distilled vinegar or dilute acetic acid and to be deficient in acidity.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, water, and either distilled vinegar or dilute acetic acid, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure cider vinegar reduced to legal standard 40 grain, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Pure Cider Vinegar * * * Reduced to Legal Standard 40 grain," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was pure cider vinegar reduced to legal standard 40 grain, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure cider vinegar reduced to legal standard 40 grain, whereas, in truth and in fact, it was not pure cider vinegar reduced to legal standard 40 grain, but was a mixture composed in part of water, and either distilled vinegar or dilute acetic acid.

On September 8, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7048. Adulteration and misbranding of olive oil. U. S. * * * v. Christ. Macris (Messina Importing Co.). Plea of guilty. Fine, \$25. (F. & D. No. 9590. I. S. No. 1358-p.)

On May 9, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Christ. Macris, trading as the Messina Importing Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on January 15, 1918, from the State of New York into the State of

Connecticut, of a quantity of an article, labeled in part "Olive Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to consist in whole or in part of a substance other than olive oil, probably corn oil, and to have a net volume of 3 quarts, 1 pint, and 10.35 fluid ounces.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, an oil other than olive oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olive Oil," and "1 Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of an oil other than olive oil, and each of said cans did not contain 1 gallon net of the article, but contained a less amount, and for the further reason that it was a mixture composed in part of an oil other than olive oil, prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 14, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

**7049. Adulteration and misbranding of egg noodles. U. S. * * * v.
United States Macaroni Mfg. Co., a corporation. Plea of guilty.
Fine, \$25. (F. & D. No. 9591. I. S. No. 16752-p.)**

On May 3, 1919, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United States Macaroni Mfg. Co., a corporation, Spokane, Wash., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 9, 1918, from the State of Washington into the State of Montana, of a quantity of an article, labeled in part "Superior Quality Macaroni * * * Egg Noodles," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Ether extract -----	0.50
Lecithin as P ₂ O ₅ -----	0.022
Color: Tartrazine (S. & J. 94). .	

Analysis shows product to contain very little egg solids (less than $\frac{1}{2}$ per cent), and also to be artificially colored.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, an alimentary paste containing little or no egg, was

substituted in whole for egg noodles, which the article purported to be, and for the further reason that it was a product inferior to egg noodles, to wit, a product composed of an alimentary paste containing little or no egg, prepared in imitation of egg noodles, and was colored with a certain coal tar dye, to wit, tartrazine, S. & J. 94, so as to simulate the appearance of egg noodles, and in a manner whereby its inferiority to egg noodles was concealed.

Misbranding of the article was alleged for the reason that the statement, to wit, "Egg Noodles," borne on the boxes containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was egg noodles, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was egg noodles, whereas, in truth and in fact, it was not, but was an artificially colored alimentary paste containing little or no egg.

On July 16, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7050. Misbranding of evaporated milk. U. S. * * * v. J. Trump & Sons Mercantile Co., a corporation. Plea of guilty to count 6 of information. Fine, \$50 and costs. Other counts of information nolle prossed. (F. & D. No. 9595. I. S. No. 12150-p.)

On May 9, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in six counts against J. Trump & Sons Mercantile Co., a corporation, Kahoka, Mo., alleging shipment by the defendant company, in the sixth count of said information, on or about May 16, 1918, from the State of Missouri into the State of Iowa, in violation of the Food and Drugs Act, of a quantity of an article, labeled in part "Kahoka Brand Evaporated Milk," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Fat by Roese-Gottlieb-----	7.10
Total solids by drying-----	24.73

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but consisted of a mixture composed in part of an insufficiently condensed milk low in fat and total solids, and for the further reason that it was a mixture composed in part of an insufficiently condensed milk product low in fat and total solids prepared in imitation of evaporated milk and was offered for sale and sold under the distinctive name of another article, to wit, evaporated milk.

On May 26, 1919, the defendant company entered a plea of guilty to said sixth count of the information, and the court imposed a fine of \$50 and costs. A nolle prosequi was entered as to the first five counts of the information.

E. D. BALL,
Acting Secretary of Agriculture.

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 7051-7100.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 10, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7051. Adulteration and misbranding of evaporated milk. U. S. * * * v.
Utah Condensed Milk Co., a corporation. Plea of guilty. Fine,
\$25. (F. & D. No. 9596. I. S. No. 16367-p.)

On May 3, 1919, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Utah Condensed Milk Co., a corporation, Richmond, Utah, alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1918, from the State of Utah into the State of Nevada, of a quantity of an article, labeled in part "Utah Condensed Milk Co., Richmond, Utah, U. S. A. * * * Sego Brand Unsweetened Evaporated Milk," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Fat, by Roese-Gottlieb-----	7.54
Total solids, by drying at 100° C-----	25.05

This analysis shows the product to be a partially evaporated milk.

Adulteration of the article was alleged in the information for the reason that an insufficiently evaporated milk, low in fat, had been substituted in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and

in fact, it did not so consist, but consisted of a mixture composed in part of insufficiently evaporated milk, low in fat.

On December 17, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7052. Misbranding of lemon flavoring substitute and vanilla flavoring substitute and adulteration and misbranding of vanilla flavoring.
U. S. * * * v. William A. Shull (Velvetta Mfg. Co.). Plea of guilty. Fine, \$50. (F. & D. No. 9598. I. S. Nos. 3210-p, 15414-r, 15415-r, 15419-r.)

On April 28, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William A. Shull, trading as the Velvetta Mfg. Co., Philadelphia, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about June 19, 1918, from the State of Pennsylvania into the State of Virginia of quantities of lemon flavoring substitute and vanilla flavoring substitute which were misbranded, on or about July 26, 1918, from the State of Pennsylvania into the State of Virginia, of a quantity of lemon flavoring substitute which was misbranded, and on or about July 6, 1917, from the State of Pennsylvania into the District of Columbia, of a quantity of vanilla flavoring which was adulterated and misbranded. The substitutes were labeled, in part, "Velvet Brand Lemon (or Vanilla) Flavoring Mother's Favorite Contents 1½ Fl. Ozs. Substitute." The vanilla flavoring was labeled, in part, "Velvet Brand Vanilla Flavoring Mother's Favorite Guaranteed Absolutely Pure Contents 1½ Fl. Ozs."

Examination and analysis of samples of the articles by the Bureau of Chemistry of this department showed the following results:

The average net contents of 24 bottles of the lemon flavoring substitute in the shipment of June 19, 1918, was 1.34 fluid ounces, and in the shipment of July 26, 1918, 1.40 fluid ounces, and that of 24 bottles of the vanilla flavoring substitute was 1.43 fluid ounces.

VANILLA FLAVORING.

Coumarin (gram per 100 cc.)	0.08
Vanillin (gram per 100 cc.)	.29
Ash (gram per 100 cc.)	.03
Normal lead number	.06
Color insoluble in amyl alcohol (per cent)	66
Alcohol: None.	
Resins: Absent.	
Average net contents 6 bottles (fluid ounces)	1.32

Misbranding of the lemon flavoring substitute and the vanilla flavoring substitute was alleged in the information for the reason that the statement, to wit, "Contents 1½ Fl. Ozs.," borne on the labels attached to the bottles containing the article, regarding it, was false and misleading in that it represented that each of said bottles contained 1½ fluid ounces of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said bottles contained 1½ fluid ounces of the article, whereas, in truth and in fact, each of said bottles did not contain 1½ fluid ounces of the article, but contained a less amount. Misbranding of the article was al-

leged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Adulteration of the vanilla flavoring was alleged for the reason that a substance, to wit, an aqueous solution of vanillin and coumarin artificially colored, had been substituted in whole or in part for vanilla flavor, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Vanilla Flavoring" and "Contents 1½ FL Ozs," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article was vanilla flavoring; that each of said bottles contained 1½ fluid ounces of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was vanilla flavoring, and that each of said bottles contained 1½ fluid ounces of the article, whereas, in truth and in fact, it was not vanilla flavoring, but was an aqueous solution of vanillin and coumarin artificially colored, and each of said bottles did not contain 1½ fluid ounces of the article, but contained a less amount; and for the further reason that the article was an aqueous solution of vanillin and coumarin artificially colored, prepared in imitation of vanilla flavoring, and was offered for sale and sold under the distinctive name of another article, to wit, vanilla flavoring. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL,
Acting Secretary of Agriculture.

**7053. Adulteration and misbranding of brandy (cognac type). U. S. v.
Mrs. Fannie Wolf (Milton Whiskey Co.). Plea of guilty. Fine, \$10.
(F. & D. No. 9603. I. S. No. 6571-p.)**

On April 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mrs. Fannie Wolf, trading as the Milton Whiskey Co., New York, N. Y., alleging shipment by said defendant, in violation of Food and Drugs Act, as amended, on May 15, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Brandy Dermont Freres Brand D F Cognac Type," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 liters proof spirit unless otherwise specified:

Proof (degrees) -----	73.9
Fusel oil -----	32.8
Esters, as acetic -----	19.0
Acidity, as acetic -----	17.8
Aldehydes, as acetic -----	4.0
Furfural -----	0.8

This analysis shows the sample to contain added neutral spirits.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, neutral spirits, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and

strength, and had been substituted in part for brandy and for brandy cognac type, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "brandy" and "cognac type," together with the design and device borne on the labels attached to the bottle, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was brandy, and that it was brandy cognac type, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was brandy, and that it was brandy cognac type, whereas, in truth and in fact, it was not brandy, and was not brandy cognac type, but was a mixture which contained neutral spirits. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 14, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL,
Acting Secretary of Agriculture.

7054. Adulteration and misbranding of condensed milk. U. S. * * * v. Illinois Condensed Milk Company, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9604. I. S. No. 12156-p.)

On May 1, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Illinois Condensed Milk Co., a corporation, Whitehall, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 13, 1918, from the State of Illinois into the State of Missouri, of a quantity of an article, labeled in part "Plain Condensed," and invoiced by the defendant company as "Pln. Cond. Milk," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Fat by Roese-Gottlieb-----	4.42
Total solids by drying-----	29.92

This analysis shows the product to have been prepared from partially skimmed milk and to be low in fat.

Adulteration of the article was alleged in the information for the reason that a product prepared from partially skimmed milk had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for condensed milk, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, butter fat, had been in part abstracted.

Misbranding of the article was alleged for the reason that the statement, to wit, "Plain condensed," borne on the tags attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article consisted wholly of condensed milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of condensed milk, whereas, in truth and in fact, it did not so consist, but consisted of a mixture prepared from partially skimmed milk, and for the further reason that it was a product prepared from partially skimmed milk in

imitation of condensed milk, and was offered for sale and sold under the distinctive name of another article, to wit, condensed milk.

On May 29, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

**7055. Adulteration and misbranding of Cacapon Water. U. S. * * * v.
139 Gallons of Cacapon Water. Default decree of condemnation,
forfeiture, and destruction. (F. & D. No. 9605. I. S. No. 13740-r.
S. No. E-1204.)**

On January 17, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 139 gallons of Cacapon Water, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on December 18, 1918, by the Capon Springs Co., Capon Springs, W. Va., and transported from the State of West Virginia into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged for the reason that it was labeled, "For many diseases, including some thought incurable * * * 100% Efficient * * * Cacapon Healing Water * * * for Bright's Disease, Kidney Troubles, Indigestion, Diabetes, Calculi, Rheumatism, Women's Diseases, Stomach Troubles, Dyspepsia, Uric Acid, Gout, Urethral and Uterine Troubles * * * Tonic, Alterative * * * Has cured for Centuries," when, in truth and in fact, said statements were false and fraudulent, and the product was not capable of producing the curative and therapeutic effects claimed for it.

On February 21, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

**7056. Adulteration of catsup. U. S. * * * v. 500 Cases of Catsup. Con-
sent decree of condemnation and forfeiture. Product ordered re-
leased on bond. (F. & D. No. 9606. I. S. No. 5676-r. S. No. C-1030.)**

On January 17, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases, each containing 6 cans of tomato catsup, at St. Paul, Minn., alleging that the article had been shipped on or about April 3, 1918, by the Van Alen Canning Corporation, Ogden, Utah, and transported from the State of Utah into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Banner Brand Catsup. * * * Packed by the Van Alen Canning Corporation, Ogden, Utah."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On June 25, 1919, the said Van Alen Canning Corporation, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered.

and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7057. Adulteration of tomato sauce. U. S. * * * v. 169 Cases of Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9607. I. S. No. 6224-r. S. No. C-1034.)

On January 20, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 169 cases of tomato sauce, remaining unsold in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped on or about September 18, 1918, by J. T. Polk & Co., Mound City, Ill., and transported from the State of Illinois into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Puck Brand Spanish Style Tomato Sauce."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On June 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7058. Adulteration of condensed skimmed milk. U. S. * * * v. 550 Cases * * * of Alleged Condensed Skimmed Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9610. I. S. No. 14357-r. S. No. E-1210.)

On January 20, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 550 cases, each containing 48 cans of alleged condensed skimmed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 6, 1918, and transported from the State of Louisiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Value Brand Sweetened Condensed Milk * * * Manufactured by the Sullivan Condensed Milk Co., Sullivan, Wis. * * *".

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 4, 1919, the Union Manufacturing Company, New York, N. Y., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act, conditioned in part that the product should be sold, used, or disposed of for purposes other than human consumption.

E. D. BALL,
Acting Secretary of Agriculture.

7059. Adulteration of condensed milk. U. S. * * * v. 270 Cans, 315 Cans, and 222 Cans * * * of a Product Purporting to be Skimmed Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9611, 9612, 9613. I. S. Nos. 12556-r, 12557-r, 12559-r. S. No. E-1208.)

On January 17, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 270 cans, 315 cans, and 222 cans of a product purporting to be skimmed condensed milk, consigned on March 9 and March 12, 1918, remaining unsold in the original unbroken packages at Salem, Brockton, and Lawrence, Mass., respectively, alleging that the article had been shipped and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Double 'B' Brand Sweetened Skimmed Condensed Milk, Manufactured by Sullivan Condensed Milk Co., Sullivan, Wis."

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 13, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7060. Adulteration of catsup. U. S. * * * v. 175 Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9614. I. S. No. 2558-r. S. No. W-266.)

On January 17, 1919, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 175 cases of canned tomato catsup, consigned by Libby, McNeill & Libby, Manzanola, Colo., remaining unsold in the original unbroken packages at Rock Springs, Wyo., alleging that the article had been shipped on or about December 1, 1917, and transported from the State of Colorado into the State of Wyoming, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed vegetable substance.

On October 29, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7061. Misbranding of The Texas Wonder. U. S. * * * v. 36 Packages of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9618. I. S. No. 5881-r. S. No. C-1037.)

On January 20, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 packages of The Texas Wonder, consigned on December 3, 1918, by E. W. Hall, St. Louis, Mo., remaining unsold in the original unbroken packages at Paducah, Ky., alleging that the article had been shipped and transported from the State of Missouri into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as

amended. The article was labeled in part: (On carton) "The Texas Wonder * * * Hall's Great Discovery for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel. Regulates Bladder Trouble in Children." (In circular) "Louis A. Portner * * * testified he began using The Texas Wonder for stone in the kidneys * * * and tuberculosis of the kidneys * * *. He was still using the medicine, with wonderful results, and his weight had increased."

Analysis of a sample from a previous shipment by the Bureau of Chemistry of this department showed the article to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in the libel, for the reason that its package or label bore and contained false and fraudulent statements, designs, and devices regarding the curative or therapeutic effects of the article.

On April 21, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7082. Misbranding of Beecham's Pills. U. S. * * * v. 480 Packages of Beecham's Pills, 10-Cent Size, and 180 Packages Beecham's Pills, 25-Cent Size. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9620. I. S. Nos. 14927-r, 14928-r. S. No. E-1212.)

On January 21, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 480 packages of Beecham's pills, 10-cent size, and 180 packages of Beecham's pills, 25-cent size, consigned by B. F. Allen & Co., New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about January 6, 1919, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. On February 28, 1919, an amendment to the libel was filed. The article was labeled in part:

(Circular within the 10-cent size package) * * * purify the blood, invigorate the nerves. * * * Beecham's Pills will cure Bilious and Nervous Disorders, Indigestion, Want of Appetite, Fulness after Meals, Vomiting, Sickness at the Stomach, Torpid Liver, Sick Headache, Cold Chills, Flushings of Heat, Lowness of Spirits, &c. For attacks of Headache, Dizziness or Swimming in the Head, Wind, Pain, and Spasms at the Stomach, Pains in the Back, Restlessness, Insomnia, &c., Beecham's Pills are invaluable, and will give relief almost immediately. Scurvy and Scorbutic Affections, Pimples and Blotches on the Skin, Bad Legs, Ulcers, &c., are the result of bad and impure blood. Beecham's Pills will speedily remove the causes by cleansing the blood of all its vicious humors. Outward application only gets rid of one trouble to make room for another. Kidney and Urinary Disorders, Gout, Rheumatism, Sciatica, Eczema, Gravel, &c., are caused by accumulation of uric acid in the blood. Beecham's Pills will assist the Kidneys to dissolve this uric acid and pass it from the system in the urine. * * * For females of all ages Beecham's Pills are specially suitable. Females from sixteen to twenty-five are often subject to serious derangements in their usual monthly periods, which are either unduly delayed or are poor and insufficient, and, if left unattended to, are followed by dire results. No medicine can be found to equal Beecham's Pills for assisting Nature at this important time. Two or more pills taken night and morning will not fail to bring about the free and healthy action required. From forty to fifty is a very critical age for women, as mostly within this limit the "change of life" occurs. The humours which have been carried off

monthly by the common course of nature are now liable to lay seeds of terrible and dangerous diseases if allowed to remain in the system. As soon as a change comes on, the Pills should be taken in sufficient doses, and they will take from the system all gross humours, purify the blood, and strengthen and invigorate the nervous system.

(Circular enclosed within the 25-cent size retail package) Statement of Thomas Beecham: * * * Accumulated experience, all the world over, has declared them to be the most reliable Family Medicine procurable; and whenever tried, they have been permanently adopted as the specific to be depended on for defeating those evils which usually assail health in our daily lives, and, if taken in time, they will ward off many a serious illness. * * * Page 1: * * * The Blood. * * * but we may all, by the aid of Beecham's Pills keep important organs of the body in working order, and by due attention to simple hygiene maintain ourselves in the highest degree of health permitted by our circumstances in life. * * * In the first place, it is desirable that those who take the Pills should abstain from, or use only in the strictest moderation, all alcoholic drinks, and let the food be of a plain and wholesome character; but should anyone be suffering from over-indulgence, be ever so ill or his head ever so bad, let him take a dose of Beecham's Pills, and he will be all right in the morning. * * * Persons of a strong or average constitution, but who may temporarily be suffering from any of the complaints herein mentioned will usually find the dose to suit them to be three or four pills once a day; * * *. Others, who may be frequently subject to one or more of the specified ailments, should take smaller doses of the pills occasionally. * * *. This rule, however, may be borne in mind, that on the first sign of anything wrong, at least two pills should be taken immediately, no matter when. * * *. Disturbing dreams and restless nights are very often occasioned by intestinal disorder. In sleeplessness, arising from such causes, Beecham' Pills are peculiarly efficacious and seldom fail to induce the longed for repose. Sick Headaches, Want of Appetite, Fulness after meals, Nausea, Wind, Pain and Sickness of the Stomach. * * * To remove these complaints you must remove the cause. The principal cause is generally to be found in the stomach, liver, and kidneys; put these organs right and all will be well.

For those troubled with the above complaints a dose of Beecham's Pills will in most cases give early relief. * * * What is commonly known as "the wind" frequently gives rise to some of the unpleasant symptoms here alluded to; or they may result from breathing vitiated atmosphere or inhaling noxious vapors and emanations; or unwholesome food may produce almost poisonous effects. In any such case, it is the blood which has become contaminated; * * *. The action of Beecham's Pills is prompt and certain. A person troubled with any of the disorders enumerated above, when due to digestive disorders or improper food, should take the Pills * * * for a short time, when the evil will be removed, the system reinvigorated, and the sufferer restored to sound and lasting health. * * * Dyspepsia * * * The symptoms of Dyspepsia are exceedingly distressing, including Heartburn, Water-brash, Eructations, Hiccough, Nausea, and Vomiting. The tongue is coated, the breath offensive, and the complexion grows "pasty." In neglected cases the failure of the appetite becomes serious and the tissues waste through imperfect nutrition. There is much weakness, depression, and irritability. It gives rise to general debility and anemia, and when it has existed for a considerable time, probably no disease is so troublesome to cure. But let the sufferer take comfort. Special attention should be given to diet and those things avoided which are found to cause trouble, while Beecham's Pills may be relied upon as a great assistance to sufferers. Page 2: * * * Nervous Debility * * * There is, however, a common form of nervous debility in which they are of great service. It is that kind which has its origin directly in derangement of the digestive organs. Here the tone of the nervous system is lowered, because in common with the other tissues it is affected by malnutrition. If Beecham's Pills are taken and the functions of digestion are restored to healthy activity, the nervous system will recover its tone in a natural manner, as the result of improved nutrition; and in the absence of any marked nervous disorder, nature thus assisted, may be relied on to effect a cure. * * * Many skin disorders arise, directly or indirectly, from an insanitary state of the epidermis, or as the consequence of specific diseases, and in such cases only special treatment will avail; but by far the greater number of the muddy, pimply, spotty, and blotchy complexions we see around us are due to a sluggish state of the liver, to faulty digestion,

and to constipated bowels. Rashes are not at all infrequently caused by errors of diet. In all such cases a regular course of Beecham's Pills will be found to have remarkably good results. Better for the complexion than all the expedients of cosmetics, powders, creams, and washes is pure blood, and in all normal conditions the blood can be kept pure by maintaining a clean and healthy state of the organs of digestion and excretion. Hence it is that Beecham's Pills are of such service in removing and preventing unsightly eruptions and bringing the skin to a fresh and desirable condition. Ladies, and indeed all who value the outward charm of a clear complexion as the consequence of internal health, will find nothing better than Beecham's Pills for insuring freedom from those surface blemishes which too often mar the most attractive appearance. The Kidneys.—These important organs, whose office it is to form the urine and thereby separate waste products from the blood, should never be allowed to fall into a diseased condition. They may be clogged or sluggish without being diseased, but they can not be allowed to remain so for any lengthened period without serious risk to the health. The thing, therefore, is to take some simple medicine which will gently assist the action of the kidneys, and by stimulating the flow of urine help to carry off the solid matter with which the fluid is charged. For this purpose Beecham's Pills will be found exceedingly valuable, and whether taken for their efficient, diuretic properties, or as an adjunct to special treatment, there is probably no case in which these Pills would not be of great benefit. They are decidedly useful in assisting the expulsion of uric acid from the system if taken in conjunction with the measures here recommended. It is well to remember, by the way, that an excess of uric acid is frequently associated with an unhealthy state of the liver, and that constipation and a sluggish liver in all uric acid troubles are conditions never to be neglected. * * * Should anyone have reason to suspect that uric acid is not being properly eliminated, and that sluggish kidneys are giving rise to indisposition, the immediate and systematic use of Beecham's Pills is confidently advised. At the same time the diet should be regulated, alcohol consumed only in the strictest moderation, if at all, and then much diluted with potash or lithia water. Pure water should be drunk freely, reasonable exercise in the open air indulged in, woolen underwear adopted, and warm or tepid baths frequently taken. This simple treatment will, in all ordinary cases, not only restore the health, but may prevent more complicated forms of disease from arising, and Beecham's Pills will probably be the only medicine required to achieve the desired result. Secret Maladies.—It is very difficult to form a decision as to what should be communicated to the public and what should be withheld on the subject of certain secret disorders, the nature of which is commonly understood, and upon which, therefore, it will be unnecessary to dwell. It will be sufficient to offer a few general remarks and to indicate the method of cure, which is, beyond all, the question of supreme importance. Let it never be forgotten that even a slight delay in dealing with diseases of this type may be terribly fruitful of future trouble. * * * But the process of eradicating the poison from the system will be materially assisted by the aid of a perfectly safe but reliable searching, cleansing, purgative medicine; and nothing better for that purpose can be used than Beecham's Pills. They should be taken immediately, and continued for a considerable time after the cure is apparently complete. This is of the utmost importance, because in many cases the cure is not absolute, and nothing but a prolonged course of an efficient blood-purifying medicine like Beecham's Pills will make it so. The great object in treating these disorders is to thoroughly clear the blood of every trace of the specific poison which has affected it; and when it is remembered that the taint may linger unsuspected for years, and then reappear in some distressing form of disease, or in the offspring, it is at once obvious that the process of blood purification should be continued without intermission for a long period. By taking Beecham's Pills as here recommended this end will be accomplished in the most satisfactory manner and without giving rise to the debilitating effects of more drastic alternatives. They will at the same time strengthen and tone up the digestive organs, gently stimulate the liver and kidneys, * * *. Advice to females of all ages.—There are two very critical ages in the life of women. Females from sixteen to twenty-five years are often subject to serious variations and derangements affecting their usual monthly periods; which latter are either unduly delayed or poor and insufficient. Let such sufferers beware and remedy the evil before it is too late. The existence of thousands is made wretched, and painful diseases are sometimes established

long before the prime of life is reached through carelessness in the matter referred to. There are many females in every condition of life, and particularly those dwelling in the manufacturing districts, or engaged in factories or business generally who suffer from constant languor, shortness of breath, tightness in the chest, with difficulty in breathing, sometimes attended with a short, dry cough, with loss of appetite, loss of interest in work or pleasure—in fact, loss of all the energies of life, through a dangerous inattention to the laws which govern their sex. Women, as soon as they find any unusual delay or departure from regularity at the proper time, should assist Nature by taking two or more Beecham's Pills morning and night, and this efficient medicine will not fail to bring about the free and healthy action that is required. * * * The extent of the trouble experienced by women is varied, but Beecham's Pills have long been a favorite and efficient resort to prevent undue distress and discomfort. One trial will usually convince those who do not yet know that it is wise to have Beecham's Pills on hand. From forty to fifty is, again, a highly critical age for a woman. It is mostly within this limit that what is generally known as "the change of life" occurs. * * * The general health should be fortified, the bowels kept active, and the organs of digestion regulated by the use of Beecham's Pills. How many females do we see daily around us who suffer in a most distressing manner from Indigestion and loss of Appetite, Bilious and Liver Complaints, Sick Headache, accompanied by lowness of spirits and great depression of the nervous system? Others again suffer with bad legs, swellings and stiffness of the joints, rheumatism, dropsies, and a thousand other distressing complaints. Beecham's Pills have saved the lives of thousands of women who have tried other medicines without avail, and given themselves up to despair. Let every female, as soon as she finds a change coming on, take four or five of the Pills every day for a week or two, and afterwards take them four or five days in every month, and by this means they will assist Nature to carry off all gross humours and tide over the critical period without serious complications and with freedom from the pain and inconvenience that so often accompany it.

Misbranding of the article was alleged in substance in the libel and amendment thereto for the reason that the above-quoted statements, borne on the labels and in the circular accompanying the article, regarding the curative or therapeutic effects thereof, and the ingredients and substances contained therein, were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by said statements, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof. Misbranding was alleged in substance for the further reason that the 25-cent size retail packages contained labels and circulars which bore the statements, to wit, "Sold by the proprietor, St. Helens, Lancashire, England, * * * St. Helens * * * St. Helens, Lancashire," regarding the article and the ingredients and substances contained therein, which statements were false and misleading in that they indicated to the purchaser that the packages contained an article manufactured in England, when, in fact, they did not, but said article was a domestic product.

On June 7, 1919, the Philadelphia Wholesale Drug Co., Philadelphia, Pa., claimant, having withdrawn its answer to the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of this department.

E. D. BALI,
Acting Secretary of Agriculture.

7063. Adulteration and misbranding of lemon extract. U. S. * * * v. 360 Dozen Bottles of Lemon Extract. Heard by the court and a jury. Verdict for the Government. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9621. I. S. No. 16145-r. S. No. E-1216.)

On or about January 22, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 360 dozen 1-ounce bottles of lemon extract, consigned on January 7, 1919, by the Noah Products Corporation, Richmond, Va., remaining unsold in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped and transported from the State of Virginia into the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Noah's Extract Lemon Maximum Alcohol 55%." * * * Noah Products Corporation, Richmond, Va."

Adulteration and misbranding of the article was alleged in the libel for the reason that it contained no lemon oil, but contained 0.06 [per cent] citral, alcohol 45 per cent, and was artificially colored with tartrazine.

On April 7, 1919, the case having come on to be heard by the court and a jury, and all persons having any interest in the property being in default, after the introduction of evidence by the Government, the jury returned a verdict for the Government, and on April 8, 1919, a formal decree of condemnation, forfeiture, and destruction was entered by order of the court.

E. D. BALL,
Acting Secretary of Agriculture.

7064. Adulteration of condensed milk. U. S. * * * v. 2,392 Cases * * * of Sweetened Condensed Skimmed Milk. Decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9622. I. S. Nos. 14929-r, 14930-r. S. No. E-1214.)

On January 20, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,392 cases, each containing 48 cans of sweetened condensed skimmed milk, remaining unsold in the original unbroken packages at Lancaster, Pa., alleging that the article had been shipped on or about December 22, 1918, and January 14, 1919, and transported from the State of Louisiana into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Value Brand Sweetened Condensed Milk, Sullivan Condensed Milk Co., Sullivan, Wis."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 7, 1919, the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to William C. Bidlack, Lancaster, Pa., claimant, upon payment of all costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7065. Adulteration and misbranding of olive oil. U. S. * * * v. 20 Cases of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9623. I. S. No. 6729-r. S. No. C-1040.)

On January 23, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases, each containing 12 1-gallon cans of olive oil, at Chicago, Ill., alleging that the article had been shipped on August 22, 1918, by N. P. Economou & Theodos, New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, on the cans, "Finest Quality Table Oil" and "1 Gallon Net," and on the cases, "Pure Olive Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been substituted wholly for the article, and for the further reason that it had been substituted in part for the article.

Misbranding of the article was alleged in substance for the reason that the statements, to wit, "Pure Olive Oil," borne on the cases, and "Finest Quality Table Oil Tipo Termini Imerese Sicilia-Italia Guaranteed Absolutely Pure," borne on the cans, were false and misleading in that said statements purported to set forth that the article consisted of genuine olive oil, whereas, in truth and in fact, it consisted of cottonseed oil, and for the further reason that said statements deceived and misled the purchaser into the belief that it consisted of genuine olive oil, whereas, in truth and in fact, it consisted of cottonseed oil. Misbranding of the article was alleged for the further reason that said statements, together with the designs and devices appearing on the labels of the cans and cases, conveyed the impression that the article was a foreign product, whereas, in truth and in fact, it was a product of domestic manufacture, and for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article, to wit, genuine olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On April 23, 1919, Guisippi Renzino, Chicago, Ill., claimant, having admitted the material allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled, "Fine Quality Winterpressed Cottonseed Oil. Cottonseed Table Oil Slightly Flavored with Pure Olive Oil. Net Contents 3 qts. 1½ pts."

E. D. BALL,
Acting Secretary of Agriculture.

7066. Adulteration and misbranding of olive oil. U. S. * * * v. 26 Cases of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9624. I. S. No. 6730-r. S. No. C-1041.)

On January 22, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 cases, 24 of said cases containing 12 1-gallon cans, 1 of said

cases containing 24 $\frac{1}{2}$ -gallon cans, and 1 of said cases containing 48 $\frac{1}{4}$ -gallon cans of olive oil, at Chicago, Ill., alleging that the article had been shipped on October 1, 1918, by B. G. Makris, New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been substituted wholly for the article, and for the further reason that it had been substituted in part for the article.

Misbranding of the article was alleged for the reason that the cans containing it were denominated as to the contents thereof, and labeled, marked, and branded "Finest Quality Table Oil Insuperable (design of olive trees; and natives picking and packing olives) Termini Imerese Type Winterpressed (in inconspicuous type) Cottonseed Oil Slightly Flavored with Olive Oil," and said statements, borne on the cans, were false and misleading in that they purported to set forth that the article consisted of genuine olive oil, whereas, in truth and in fact, it consisted of cottonseed oil, and for the further reason that said statements deceived and misled the purchaser into the belief that it consisted of genuine olive oil, whereas, in truth and in fact, it consisted of cottonseed oil. Misbranding of the article was alleged for the further reason that said statements, together with the designs and devices appearing on the labels of the cans, conveyed the impression that the article was a foreign product, whereas, in truth and in fact, it was a product of domestic manufacture, and for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article, to wit, genuine olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On April 23, 1919, Guisippi Renzino, Chicago, Ill., claimant, having admitted the material allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be properly relabeled.

E. D. BALL,
Acting Secretary of Agriculture.

7067. Adulteration and misbranding of Cacapon Healing Water. U. S. * * * v. 2 Barrels of Cacapon Healing Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9625. I. S. No. 13730-r. S. No. E-1215.)

On January 21, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels of Cacapon Healing Water, at Alpine, N. J., alleging that the article had been shipped on or about December 3, 1918, by the Capon Springs Co., Capon Springs, W. Va., and transported from the State of West Virginia into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged in the libel for the reason that the statements appearing on the labels of the barrels were false and fraudulent in that they represented that the article would produce certain therapeutic effects claimed for it, whereas, in truth and in fact, it would not produce the following therapeutic effects as claimed in said labels, to wit, "for many diseases, including some thought incurable * * * 100% Efficient * * * Cacapon Healing Water * * * for Bright's Disease, Kidney Troubles, Indigestion, Diabetes, Calculi, Rheumatism, Women's Diseases, Stomach Troubles, Dyspepsia, Uric Acid, Gout, Urethral and Uterine Troubles * * * Tonic, Alterative * * * Has cured for Centuries," (and in the testimonial of Dr. Thomas A. Ashby) " * * * rheumatic gout, syphilitic rheumatism, and chronic inflammation."

On August 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7068. Misbranding of Chili peppers. U. S. * * * v. 107 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9626. I. S. Nos. 6290-r, 6291-r, 6292-r. S. No. C-1038.)

On January 24, 1919, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 107 sacks of Chili peppers at Austin, Tex., alleging that the article had been shipped on or about November 23, 1918, and December 17, 1918, by J. A. Knapp, Garden Grove, Calif., and transported from the State of California into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, being moldy and full of worms.

On June 20, 1919, the Walker Properties Association, Austin, Tex., having filed a claim for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be used in the preparation of animal and chicken feed only.

E. D. BALL,
Acting Secretary of Agriculture.

7069. Misbranding of Hall's Texas Wonder. U. S. * * * v. 6 Dozen Packages of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9627. I. S. No. 5935-r. S. No. C-1043.)

On January 23, 1919, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Hall's Texas Wonder, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped on or about November 14, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Kansas, and charging

misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On bottle) "The Texas Wonder * * * E. W. Hall, Sole Manufacturer * * * St. Louis, Mo." (On carton) "Great Discovery for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel. Regulates Bladder Trouble in Children." (In circular) "Louis A. Portner * * * testified he began using The Texas Wonder for Stone in the Kidneys * * * and tuberculosis of the kidneys. He was still using the medicine with wonderful results, and his weight had increased * * *."

Analysis of a sample from a previous shipment by the Bureau of Chemistry of this department showed it to consist essentially of oleoresin of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the statements regarding the therapeutic or curative effect of the article, appearing on the labels of the bottles, cartons, and circulars, were false and fraudulent in that said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchaser, and create in the mind of the purchaser thereof, the impression and belief that the article was in whole or in part a compound of, or contained, ingredients or medicinal agents, effective, among other things, to produce the therapeutic effect claimed for it on the label, carton, and circular, when, in truth and in fact, it contained no ingredients or combination of ingredients capable of producing the effects claimed for it.

On April 10, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7070. Adulteration of fava beans. U. S. * * * v. 590 Sacks of Fava Beans and 163 Sacks of Fava Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9280. I. S. No. 2206-r. S. No. W-244.)

On or about September 5, 1918, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 590 sacks and 163 sacks of fava beans, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about August 30, 1918, by Frederic Arezzo Luisis, San Francisco, Calif., and were en route from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole and in part of a filthy, putrid, and decomposed vegetable and animal substance.

On October 2, 1918, Paolo Alonges, New York, N. Y., having filed a claim for the property and consented to a decree, it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$5,500, in conformity with section 10 of the act, conditioned in part that the beans should be hand picked and inspected under the supervision of a representative of this department, and that the portion found fit for food should be delivered to said claimant and the unfit portion denatured and then returned to said claimant.

E. D. BALL,
Acting Secretary of Agriculture.

- 7071. Misbranding of Pike's Liver, Kidney and Stomach Remedy.** U. S. * * * v. 44 Dozen Bottles, 20 Dozen Bottles, 11 Dozen Bottles, and 23½ Dozen Bottles of Pike's Liver, Kidney and Stomach Remedy. Decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9628, 9637, 9638, 9639. I. S. Nos. 15283-r, 15284-r, 15285-r, 15286-r. S. Nos. E-1213, E-1221, E-1222, E-1223.)

On February 3, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 44 dozen bottles, 20 dozen bottles, 11 dozen bottles, and 23½ dozen bottles of Pike's Liver, Kidney and Stomach Remedy, remaining unsold in the original unbroken packages at Lynchburg, Danville, and Schoolfield, Va., alleging that the article had been shipped on or about December 30, 1918, and December 20, 1918, by the Pike Medicine Co., Winston-Salem, N. C., and transported from the State of North Carolina into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

The article was labeled in part: "Trade Mark (picture Pike's Peak) Pike's Liver, Kidney & Stomach Remedy Is carefully prepared for cleansing and strengthening the system, which makes it a most valuable remedy for the liver, kidneys, stomach and blood, and all kindred disorders arising from sluggish action of the bowels, liver and kidneys. It is a wonderfully Effective Tonic. Its use should be continued for a considerable period of time in order that its action may be complete and the emunctory organs restored to a normal condition. Do not take a substitute. Pike's is the original, safest and best. Satisfactory results absolutely guaranteed or money refunded. Price, \$1.00. Pike Medicine Co." (On reverse of bottle) "Pike's Liver, Kidney & Stomach Remedy 'An Effective Tonic' Relieves Indigestion, Biliousness, Constipation, Sour Stomach, Heartburn, Foul Breath, Bad Taste in the Mouth, Furred Tongue, Gas on the Stomach, Sick Headache, Kidney or Bladder Troubles, Numbness or Chills, Piles, Jaundice, Loss of Appetite, Weakness, Tired Feeling, and all diseases arising from a run-down condition or caused from inactivity of the Liver and Kidneys and Impure Blood. Directions for taking * * * Prepared by Pike Medicine Co. Distributing Point for Eastern and Southern States, Winston-Salem, N. C., U. S. A."

Analysis of samples from the several lots, made in the Bureau of Chemistry of this department, showed the article to be an acid, astringent solution consisting essentially of magnesium sulphate, ferric chlorid, arsenious acid, hydrochloric acid, water, and coloring matter.

Misbranding of the article in each shipment was alleged in the libels for the reason that it contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed for it on the label of the package, as quoted, with the exception of that part relating to constipation which can be found on the reverse side of the bottle.

On March 11, 1919, the said Pike Medicine Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

- 7072. Adulteration and misbranding of olive oil. U. S. * * * v. 28 Gallons of Oil, more or less. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9640. I. S. Nos. 15278-r, 15279-r, 15280-r, 15281-r, 15462-r. S. No. E-1219.)**

On January 29, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 28 gallons of oil, more or less, consigned on December 17, 1918, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by A. J. Musco, New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, in part: "Monte Carlo Brand Extra Fine Oil (pictorial design of large figure of man with smaller figures holding olive branches)," and "Finest Quality Table Oil Insuperable (pictorial design of olive tree and of natives picking olives)."

Adulteration of the article was alleged in the libel for the reason that corn, peanut, and cottonseed oils had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding of the article was alleged for the reason that the statements borne on the labels on the cans, together with the pictorial designs, were false and misleading in that they conveyed the impression that the product was olive oil, when, in fact, it was not; and for the further reason that the statements aforesaid, together with the pictorial designs, were such as would deceive and mislead the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled and sold at public auction by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

- 7073. Adulteration and misbranding of olive oil. U. S. * * * v. 24 Gallon Cans and 24 Half-gallon Cans of Olive Oil (so called). Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9642. I. S. No. 12713-r. S. No. E-1218.)**

On January 29, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 gallon cans and 24 half-gallon cans of olive oil (so called), remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about September 12, 1918, by the Basileous Importing Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, in part, "Pure Extra Fine Olive Oil Madrid Brand, Imported from Spain."

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed and corn oils had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted almost wholly for olive oil, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the labels on the cans bore statements which were false and misleading, that is to say, the statement, to wit, "Pure Extra Fine Olive Oil Madrid Brand, Imported from Spain," was intended to be of such a character as to induce the purchaser to believe that it was olive oil, when, in truth and in fact, it was not; and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture, packed in the United States; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil; and for the further reason that the statements borne on the labels of the cans, to wit, "One Full Gallon" and "Half Full Gallon," respectively, represented that the contents of the cans were, respectively, one gallon and one-half gallon, whereas there was a shortage of volume in each of said cans. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal at private sale.

E. D. BALL,
Acting Secretary of Agriculture.

7074. Adulteration and misbranding of olive oil. U. S. * * * v. 3 Cases of Olive Oil (so called). Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9643. I. S. Nos. 12578-r, 12711-r. S. No. E-1226.)

On January 29, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of olive oil, so called, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about November 18, 1918, by Adolph Panarelli, New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Half gallon cans) "Olio Puro D'Oliva (picture of olive tree and natives gathering olives) Lucca Tipo, Italy, Olio Puro D'Oliva Garantito Produzione Propria," "Full Half Gallon" and in inconspicuous type "Cotton Salad Oil;" (gallon cans) "Olio Puro No D'Oliva," "Full Gallon" and in inconspicuous type "Cottonseed Oil."

Adulteration of the article was alleged for the reason that cottonseed oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the labels on the cans bore statements which were false and misleading; that is to say, the statements, to wit, "Olio Puro D'Oliva" and "Olio Puro No D'Oliva," were intended to be of such a character as to induce the purchaser to believe that it was olive oil, when, in truth and in fact, it was not, and the words "Cottonseed Oil," and "Cotton Salad Oil," in inconspicuous type, did not correct the false impression created by the remainder of said labels, and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product

of domestic manufacture packed in the United States, and for the further reason that it was an imitation of, and offered for sale under the distinctive name of, another article, to wit, olive oil.

On March 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal at private sale.

E. D. BALL,
Acting Secretary of Agriculture.

7075. Adulteration and misbranding of olive oil. U. S. * * * v. 4 Cases of Olive Oil (so called). Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 9644. I. S. No. 12715-r. S. No. E-1227.)

On January 30, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases of olive oil, so called, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about December 2, 1918, by Adolph Panarelli, New York, N. Y., and transported from the State of New York into the State of Connecticut, charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. Said article was labeled in part: "Qualita Superiore Olio Puro Tripolitania Garantito Sotto Qualsiasi Analisi Chimica (picture of map of Italy and figure of woman holding Italian flag)" and "½ Gallon Net" and "4 Gallon Net," as the case might be.

Adulteration of the article was alleged in the libel for the reason that cotton-seed oil had been mixed and packed therewith, so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the labels on the cans bore certain statements and designs regarding it which were false and misleading, that is to say, the statements on the labels, to wit, "Qualita Superiore Olio Puro," together with the pictorial design, which statements, words, and designs were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not; and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture, packed in the United States; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 28, 1919, the said Adolph Panarelli, claimant, having consented to a decree, judgment of coadmnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7076. Adulteration and misbranding of olive oil. U. S. * * * v. 24 1-gallon Cans, 45 $\frac{1}{2}$ -gallon Cans, and 40 Quart Cans of Olive Oil (so called). Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No 9645. I. S. No. 12716-r. S. No. E-1228.)

On January 30, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 1-gallon cans, 45 $\frac{1}{2}$ -gallon cans, and 40 quart cans of olive oil, so called, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about June 27, 1918, by Crisafulli Bros., New York, N. Y., and transported from the State of New York into the State of Connecticut, charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Finest Quality Table Oil * * *."

Adulteration of the article was alleged in the libel for the reason that cotton-seed oil and corn oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted almost wholly for olive oil, which the article purported to be.

It was alleged in substance that the article was misbranded for the reason that the cans bore certain statements and designs regarding the article which were false and misleading; that is to say, the following words, "Finest Quality Table Oil La Migliore Brand Insuperabile (picture of olive tree), Cotton Salad Oil Compound with" in inconspicuous type, and the following in larger type, "Extra Fine Olive Oil," which statements, words, and designs were intended to be of such a character as to induce the purchaser to believe that the article was olive oil, when, in truth and in fact, it was not.

On March 14, 1919, the said Crisafulli Bros., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7077. Misbranding of cottonseed meal. U. S. * * * v. 1,030 Sacks, More or Less, of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9646. I. S. Nos. 7498-r, 7499-r. S. No. C-1045.)

On January 31, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,030 sacks of cottonseed meal, remaining unsold in the original unbroken packages at East St. Louis, Ill., alleging that the article had been shipped on or about December 1, 1917, and February 21, 1918, by the Searcy Oil & Ice Co., Searcy, Ark., and transported from the State of Arkansas into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Butterfly Brand Cottonseed Meal," and a portion of the shipment, " * * * not less than 6.0% of crude fat, 38.5% of crude protein, not more than 12.0% crude fiber," and another portion, " * * * protein 38.60%, fat 6.00%, crude fiber 12.00%."

Misbranding of the article was alleged in the libel for the reason that the [labeling as to the] contents of the sacks was false and misleading and deceived and misled the purchaser in that the contents of 530 sacks of the shipment con-

tained less than 6 per cent of crude fat, to wit, 5.45 per cent of crude fat, and less than 38.5 per cent of crude protein, to wit, 36.3 per cent of crude protein, and more than 12 per cent of crude fiber, to wit, 14.7 per cent of crude fiber, and in that the other 500 sacks in the shipment contained less than 38.60 per cent of protein, to wit, 35.8 per cent of protein, less than 6 per cent of crude fat, to wit, 5.38 per cent of crude fat, and more than 12 per cent crude fiber, to wit, 15 per cent crude fiber.

On March 10, 1919, W. C. Nothern and the Searcy Oil & Ice Co., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7078. Adulteration of Elixir Bromide Potash and Tannic Acid Ointment.
U. S. * * * v. George Latterner (Brace's Pharmacy). Collateral
of \$40 forfeited. (F. & D. No. 9648. I. S. Nos. 3814-p, 3815-p.)

On July 29, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information against George Latterner, trading as Brace's Pharmacy, Washington, D. C., alleging that said defendant did offer for sale and sell, at the district aforesaid, in violation of the Food and Drugs Act, on May 16, 1918, quantities of articles labeled, in part, "Elixir Bromide Potash" and "Tannic Acid Ointment," which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the Elixir Bromide Potash contained no potassium bromid, but did contain 13.59 grams per 100 cc. of sodium bromid and 13.32 per cent of alcohol by volume, and that the Tannic Acid Ointment contained approximately 15.63 per cent of tannic acid and 7.58 per cent of glycerin.

Adulteration of the Elixir Bromide Potash was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said National Formulary, official at the time of investigation of the article, in that said article contained in 1,000 mils no potassium bromid, whereas said National Formulary provides that it shall in 1,000 mils contain not less than 175 grams of potassium bromid, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Adulteration of the Tannic Acid Ointment was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that said article contained in 100 grams approximately 15.63 grams of tannic acid and approximately 7.58 grams of glycerin, whereas said Pharmacopœia provides that it shall contain in 100 grams not less than 20 grams of tannic acid and not less than 20 grams of glycerin, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

On July 29, 1919, the defendant failed to appear, and the \$40 that had theretofore been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL,
Acting Secretary of Agriculture.

- 7079. Misbranding of cottonseed meal.** U. S. * * * v. Valley Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9654. I. S. No. 15423-p.)

On April 19, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Valley Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 2, 1917, from the State of Tennessee into the State of Michigan, of a quantity of an article, labeled in part "Veribest Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Crude fiber-----	13.17
Crude protein-----	35.19
Total nitrogen-----	5.63
Total ammonia-----	6.85

Misbranding of the article was alleged for the reason that the statement, to wit, "Analysis: * * * Ammonia 7½ per cent, Protein 38.62 per cent * * * Crude Fiber not over 10 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 7½ per cent ammonia, not less than 38.62 per cent protein, and not more than 10 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7½ per cent of ammonia, not less than 38.62 per cent of protein, and not more than 10 per cent of crude fiber; whereas, in truth and in fact, it contained less ammonia and protein and more crude fiber than was declared on the tags, to wit, 6.85 per cent of ammonia, 35.19 per cent of protein, and approximately 13.17 per cent of crude fiber.

On June 27, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

- 7080. Adulteration and misbranding of evaporated milk.** U. S. * * * v. Logan Commercial Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 9656. I. S. No. 1056-p.)

On July 30, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Logan Commercial Co., doing business at Newberg, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 24, 1917, from the State of Oregon into the State of New Jersey, of a quantity of an article, labeled in part "Marigold Brand Sterilized Unsweetened Evaporated Milk, manufactured by Western Condensed Milk Co., Newberg, Oregon," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Total solids (per cent)-----	22.15
Average net weight of 20 cans (ounces)-----	15½

Adulteration of the article was alleged in the information for the reason that a partially evaporated milk had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Evaporated Milk" and "Net Weight 16 Ozs," borne on the label attached to the cans containing the article, regarding it and the substances and ingredients contained therein, were false and misleading in that they represented that the article consisted wholly of evaporated milk, and that the contents of each of said cans weighed 16 ounces net, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article consisted wholly of evaporated milk, and the contents of each of said cans weighed 16 ounces, whereas, in truth and in fact, it did not consist wholly of evaporated milk, but consisted in whole or in part of a partially evaporated milk, and the contents of each of said cans did not weigh 16 ounces but weighed a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 29, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL,
Acting Secretary of Agriculture.

7081. Adulteration and misbranding of evaporated milk. U. S. * * * v. Mohawk Condensed Milk Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 9658. I. S. Nos. 1636-p, 4485-p, 4487-p.)

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Mohawk Condensed Milk Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on June 23, 1917, June 8, 1918, and May 16, 1918, from the State of New York into the State of New Jersey, of quantities of an article, labeled in part "Gold Cross Unsweetened Evaporated Milk," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of—		
	June 23, 1917.	May 16, 1918.	June 8, 1918.
Total solids (per cent)-----	25.72	26.77	26.85
Fat (per cent)-----	7.43	7.45	7.50

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, partially evaporated milk, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article in each shipment was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but consisted in whole or in part of partially evaporated milk, and for the further reason that it was a mixture composed in whole or in part of partially evaporated milk prepared in imitation of evaporated milk, and was offered

for sale and sold under the distinctive name of another article, to wit, evaporated milk.

On July 23, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL,
Acting Secretary of Agriculture.

7082. Adulteration of Malaga wine and adulteration and misbranding of cherry wine. U. S. * * * v. Morris Griffler. Plea of guilty. Fine, \$50. (F. & D. No. 9662. I. S. Nos. 3772-p, 3774-p.)

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Morris Griffler, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February 21, 1918, from the State of New York into the State of Maryland, of a quantity of an article, labeled in part "Malaga Wine," which was adulterated, and a quantity of an article labeled in part "Cherry Wine," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the Malaga wine to be a sour wine containing added glucose and artificially colored with a coal-tar dye, amaranth. The cherry wine was a product prepared from starch sugar and artificially colored with a coal-tar dye, amaranth, and contained little or no cherry wine.

Adulteration of the Malaga wine was alleged in the information for the reason that a substance, to wit, a partially soured product, artificially colored, had been substituted in whole or in part for Malaga wine, which the article purported to be, and for the further reason that it was a product inferior to Malaga wine, to wit, a mixture composed in whole or in part of a partially soured product artificially colored with a certain coal-tar dye, to wit, amaranth, so as to simulate the appearance of Malaga wine, and in a manner whereby its inferiority to Malaga wine was concealed.

Adulteration of the cherry wine was alleged for the reason that a product prepared in part from starch sugar, artificially colored and flavored, had been substituted in whole or in part for cherry wine, which the article purported to be, and for the further reason that it was a product inferior to cherry wine, to wit, a product prepared in part from starch sugar and artificially colored with a certain coal-tar dye, to wit, amaranth, so as to simulate the appearance of cherry wine, and in a manner whereby its inferiority to cherry wine was concealed.

Misbranding of the article was alleged for the reason that the statement, to wit, "Cherry (in Hebraic) Wine," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was cherry wine, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was cherry wine, whereas, in truth and in fact, it was not, but was an artificially colored and flavored imitation product, to wit, a mixture prepared in part from starch sugar containing little or no cherry, and for the further reason that it was a product composed in part of starch sugar, artificially colored and flavored in imitation of cherry wine, and was offered for sale and sold under the distinctive name of another article, to wit, cherry wine.

On August 27, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL,
Acting Secretary of Agriculture.

- 7082. Adulteration of oranges. U. S. * * * v. 461 Boxes of Oranges. Default decree of condemnation and forfeiture. Good portion ordered sold. Unfit portion ordered destroyed. (F. & D. No. 9671. I. S. No. 13264-r. S. No. E-1233.)**

On February 4, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 461 boxes of oranges at Binghamton, N. Y., alleging that the article had been shipped on January 16, 1919, by E. F. Spence, Monrovia, Calif., and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Harp Brand Selected Oranges."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be sorted and the portion found sound should be sold by the United States marshal, and that the unfit portion should be destroyed.

E. D. BALL,
Acting Secretary of Agriculture.

- 7084. Adulteration of tomato catsup. U. S. * * * v. 1,850 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9672. I. S. Nos. 2403-r, 2404-r. S. No. W-274.)**

On February 3, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,850 cases, each containing 24 bottles of tomato catsup, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on October 8, 1918, and October 10, 1918, by the Red Wing Co., Fredonia, N. Y., and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "S. & W. Brand Tomato Catsup."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On May 28, 1919, the said Red Wing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

- 7085. Adulteration and misbranding of santal oil. U. S. * * * v. 50 Boxes of Santal Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9676. I. S. No. 5883-r. S. No. C-1050.)**

On February 7, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 boxes, each containing 100 capsules of santal oil, remaining unsold in the original unbroken packages at Louisville, Ky., alleging that

the article had been shipped on or about September 20, 1918, by the Evans Drug Manufacturing Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "100 Soluble Elastic Capsules Guaranteed Weather-Proof and Non-Collapsible Santal Oil East India 10 Min. Each Capsule Contains Sandalwood Oil 10 Min. East India Evans Drug Mfg. Co. Incorporated Soft Capsules Greensburg, Pa."

Analysis of a sample of the product made in the Bureau of Chemistry of this department showed that the average net contents of the capsules was 7.4 minims, and that 68 per cent of the contents consisted of nonvolatile oil, chiefly cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and did not comply with the tests therein laid down, and in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the above-quoted statements, borne on the labels of the boxes, were false and misleading, and in that the product was an imitation of, and was offered for sale under the name of, another article.

On June 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

**7086. Adulteration and misbranding of salol and santal. U. S. * * * v.
50 Boxes of Salol and Santal. Default decree of condemnation, for-
feiture, and destruction. (F. & D. No. 9677. I. S. No. 5884-r. S. No.
C-1052.)**

On February 7, 1919, the United States attorney for the Western District of Kentucky; acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 boxes, each containing 100 capsules of salol and santal, remaining unsold in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped on or about June 1, 1918, by the Evans Drug Manufacturing Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "100 Soluble Elastic Capsules Guaranteed Weather-Proof and Non-collapsible. Salol and Santal Salol—5 grs. Santal Oil (East India) qs 10 min. Serial No. 22524. Guaranteed under the Food and Drugs Act, June 30, 1906 Evans Drug Co., Incorporated Manufacturing Pharmacists Greensburg, Pa."

Analysis of a sample of this product by the Bureau of Chemistry of this department showed the average net contents of the capsules to be 7.8 minims, and that 58 per cent of the contents of the capsules consisted of cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the above-quoted statements, borne on the labels of the boxes, were false and misleading, and in that the product was an imitation of, and was offered for sale under the name of, another article.

On June 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7087. Adulteration and misbranding of santal oil. U. S. * * * v. 66 Boxes and 48 Boxes of Santal Oil. Consent decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9679, 9680. I. S. Nos. 6179-r, 6180-r, 6181-r. S. No. C-1053.)

On February 8, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 66 boxes and 48 boxes, each containing 100 capsules of santal oil, remaining unsold in the original unbroken packages at Cleveland, O., alleging that the article had been shipped on or about July 20, 1918, and November 20, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "100 Soluble Elastic Capsules Guaranteed Weather-proof and Non-collapsible Santal Oil East India 10 Min. Each capsule contains sandalwood oil 10 Min. East India Evans Drug Mfg. Co. Incorporated Soft Capsules, Greensburg, Pa. 100 E. I. Santal Oil 10 Min."

Analyses of samples by the Bureau of Chemistry of this department showed that the average contents of the capsules was 7.2 and 7.8 minims, respectively, and that 71 per cent and 72 per cent, respectively, of the contents consisted of a nonvolatile oil, chiefly cottonseed oil.

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation, and in that its strength fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the label, to wit, "Capsules * * * Santal Oil East India 10 Min." was false and misleading in that such labeling indicated that the contents of said boxes was santal oil, whereas the product contained 72 per cent or 71 per cent nonvolatile oil, chiefly cottonseed oil, and showed an average shortage of 2.2 minims or 2.8 minims, as the case might be. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the name of, another article.

On March 12, 1919, the Evans Drug Mfg. Co., Greensburg, Pa., claimant, having filed answers admitting the truth of the allegations in the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7088. Adulteration and misbranding of santal oil. U. S. * * * v. 36 Boxes of Santal Oil. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 9682. I. S. No. 6177-r. S. No. C-1055.)

On February 8, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 36 boxes, each containing 100 capsules of santal oil, remaining unsold in the original unbroken packages at Cleveland, O., alleging that the article had been shipped on or about October 31, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "100 Soluble Elastic Capsules, Guaranteed Weatherproof and Noncollapsible, Santal Oil East India 10 Min., Each capsule contains sandalwood oil 10 Min., East India Evans Drug Mfg. Co., Incorporated, Soft Capsules, Greensburg, Pa., 100 E. I. Santal Oil 10 Min."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the average net contents of the capsules was 7.6 minims, and that 70 per cent of the contents consisted of nonvolatile oil, chiefly cotton-seed oil.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopoeia, official at the time of investigation, and in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the labeling borne on the boxes, to wit, "Capsules * * * Santal Oil East India 10 Min.," was false and misleading in that it indicated that the contents of said boxes was santal oil, whereas the article contained 70 per cent cottonseed oil, and showed an average shortage of 2.4 minims. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the name of, another article.

On June 30, 1919, the said Evans Drug Mfg. Co., having filed its answer to the libel, admitting the truth of the allegations contained therein, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7089. Adulteration and misbranding of olive oil. U. S. * * * v. 82 1-Gallon Cans of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9683. I. S. No. 12364-r. S. No. C-1051.)

On February 6, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 82 1-gallon cans of alleged olive oil, remaining in the original unbroken packages at Cleveland, O., alleging that the article had been shipped on or about November 14, 1918, by Thompson Porcard, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The cans containing the article were labeled, "1 Gallon Net Qualita Superiore (map of Italy and picture of Italian Queen holding Italian flag) Olio Tripolitania Puro Garantito Sotto Qualsiasi Analisi Chimica Garantito Sotto La Legge Del 30 Giugno, 1906." The reverse side of the cans bore the same label with paper sticker which read, "Family Oil Composto con Olii Puri ai sensi della Legge. Il solo che incontra il gusto delle famiglie Italia ne perché confiene anche Olio D'Oliva T. Porcaro," the English translation of which is, "Composed of Pure

Oils in the meaning of the Law. The only one that meets the taste of the Italian families because it contains also Olive Oil."

Adulteration of the article was alleged in the libel for the reason that cotton-seed oil had been mixed and packed therewith and substituted wholly or in part for olive oil.

Misbranding of the article was alleged in substance for the reason that the aforesaid statements, borne on the labels of the cans, together with the pictorial design, were false and misleading, and deceived and misled the purchaser in that such statements indicated that the cans contained olive oil, when, in truth and in fact, cottonseed oil had been substituted in part for the article. Misbranding of the article was alleged for the further reason that it purported to be a foreign product, when not so, and in being labeled "One Gallon Net," whereas examination showed an average shortage of 2.7 per cent, and for the further reason that the quantity of the contents was not declared.

On May 24, 1919, Thomas Porcaro, alias Thompson Porcard, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

**7080. Adulteration and misbranding of Perfecto Horse and Mule Feed.
U. S. * * * v. 200 Sacks * * * of Perfecto Horse and Mule Feed.
Consent decree of condemnation and forfeiture. Product ordered
released on bond. (F. & D. No. 9684. I. S. No. 17635-r. S. No. E-1234.)**

On February 8, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 sacks, each containing 100 pounds of Perfecto Horse and Mule Feed, remaining unsold in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about December 28, 1918, by the Milam-Morgan Co., Ltd., New Orleans, La., and transported from the State of Louisiana into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Perfecto Horse and Mule Feed * * * Guaranteed Analysis * * * Protein—9.00 per cent * * * made from Corn, Oats, Alfalfa, Rice Bran, Brewer's Grain, Cane Molasses, and Salt."

Adulteration of the article was alleged in the libel for the reason that a substance and substances, to wit, cottonseed hulls, peanut hulls, rice hulls, and oat hulls had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for brewer's grain, which the article purported to contain.

Misbranding of the article was alleged in substance for the reason that the label bore the statement, "Protein 9.00 per cent * * * Brewer's Grain," which was false and misleading and deceived and misled the purchaser and created in his mind the belief that the article contained 9 per cent of protein, whereas, in truth and in fact, it did not, and that it contained brewer's grain, whereas, in truth and in fact, it did not contain brewer's grain, but contained in lieu thereof, and as a substitute therefor, cottonseed hulls, peanut hulls, rice hulls, and oat hulls, which were not declared on the label.

On March 7, 1919, the said Milam-Morgan Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7091. Adulteration of oranges. U. S. * * * v. 371 Boxes and 13 Boxes and 10 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9686. I. S. No. 12572-r. S. No. E-1235.)

On February 10 and 12, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information, praying the seizure and condemnation of 371 boxes, 13 boxes, and 10 boxes of oranges, at Boston, Mass., consigned on January 14, 1919, alleging that the article had been shipped by the California Mutual Packing Co., Riverside, Calif., and transported from the State of California into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels of information for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On February 25, 1919, James J. Morrissey, Boston, Mass., claimant, having filed a satisfactory bond in conformity with section 10 of the act, it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings.

E. D. BALL,
Acting Secretary of Agriculture.

7092. Adulteration of condensed skimmed milk. U. S. * * * v. 1,116 Cases, Each Containing 48 Cans of Sweetened Condensed Skimmed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9686. I. S. Nos. 7459-r, 14941-r. S. No. E-1236.)

On February 7, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1116 cases, each containing 48 cans of sweetened condensed skimmed milk, remaining unsold in the original unbroken packages at Lancaster, Pa., alleging that the article had been shipped on or about January 14, 1919, and transported from the State of Louisiana into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Value Brand Sweetened Condensed Milk, Sullivan Condensed Milk Co., Sullivan, Wis., U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal. On June 7, 1919, William C. Bidlack, Lancaster, Pa., appeared as claimant, whereupon the decree was amended, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7093. Adulteration of sweetened condensed skimmed milk. U. S. * * * v. 147 Cases, Each Containing 48 Cans of Sweetened Condensed Skimmed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9687. I. S. No. 14368-r. S. No. E-1237.)

On February 8, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 147 cases, each containing 48 cans of sweetened condensed skimmed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about January 25, 1919, and transported from the State of Rhode Island into the State of New York, charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Value Brand Sweetened Condensed Milk. Packed by Merton Dairy Procents, Merton, Wis."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

On March 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7094. Misbranding of kippered sardines. U. S. * * * v. 400 Cases, Each Containing 48 Cans of Kippered Sardines. Default decree of condemnation, forfeiture, and sale (F. & D. No. 9688. I. S. No. 13647-r. S. No. E-1229.)

On February 8, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases, each containing 48 cans, of kippered sardines, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about June 12, 1918, by the Curtice [Curtis] Corporation, Long Beach, Calif., and transported from the State of California into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Romona Brand California Kippered Sardines * * * net contents 13 oz."

Misbranding of the article was alleged in the libel for the reason that the statements borne on the labels on the can, to wit, "Net Contents 13 oz.", was false and misleading and deceived and misled the purchaser into the belief that said cans each contained 13 ounces of California kippered sardines, when, in truth and in fact, the average net contents were from 15.54 per cent to 19 per cent short of weight of 13 ounces. Misbranding of the article was alleged further in that the true quantity of the contents of each of said cans was not plainly and conspicuously marked on the outside in terms of weight, measure, or numerical count.

On August 29, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled and sold by the United States marshal and that judgment be entered against Von Brennen and Asche & Co., New York, N. Y., for the costs of the proceedings.

E. D. BALL,
Acting Secretary of Agriculture.

7095. Adulteration and misbranding of vinegar. U. S. * * * v. 47 Barrels of Vinegar, more or less. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9689. I. S. No. 6903-r. S. No. C-1056.)

On February 10, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 47 barrels of vinegar, more or less, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about December 1, 1918, by the Marshall Vinegar Co., Marshalltown, Iowa, and transported from the State of Iowa into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. Each barrel contained 96 bottles and the bottles were labeled in part, "York Brand * * * 4½% Acidity Pure Reduced Cider Vinegar. Marshall Vinegar Co., Marshalltown, Iowa."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith and substituted wholly or in part for vinegar, and said vinegar showed a shortage in acidity of about 13 per cent.

Misbranding of the article was alleged for the reason that it was not pure reduced cider vinegar and was labeled and branded so as to deceive and mislead the purchaser thereof.

On February 21, 1919, the Western Grocer Co., Minneapolis, Minn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7096. Adulteration of Chili peppers. U. S. * * * v. 9 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9691. I. S. No. 7003-r. S. No. C-1060.)

On February 10, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 sacks of Chili peppers, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 17, 1918, by Simon Levi Co., Los Angeles, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in large part of a filthy, decomposed, and putrid vegetable substance.

On March 10, 1919, the Edward Westen Tea and Spice Co., St. Louis, Mo., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the article not adulterated or unfit for food should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7097. Adulteration and misbranding of mustard. U. S. * * * v. 70 Barrels of a Product Purporting to be Prepared Mustard, more or less * * *. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9692. I. S. No. 15458-r. S. No. E-1232.)

On February 10, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 barrels, more or less, of a product purporting to be prepared mustard, consigned on November 25, 1918, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Dawson Bros. Mfg. Co., Lynchburg, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that foreign substances, to wit, wheat flour and turmeric, had been mixed and packed therewith so as to reduce and lower its quality and strength, and had been substituted in whole or in part for the article, and had been mixed and packed with turmeric in a manner whereby inferiority was concealed.

Misbranding of the article was alleged for the reason that the statement, "Prepared Mustard," borne on the labels of the barrels, was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 15, 1919, the Whiteford Mfg. Co., Baltimore, Md., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7098. Adulteration and misbranding of olive oil. U. S. * * * v. 5 Cases of Alleged Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9693. I. S. No. 7054-r. S. No. C-1059.)

On February 19, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases of alleged olive oil, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about October 10, 1918, by the Italo-American Distilling Co., Chicago, Ill., and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled and marked as follows: "Half Full Gallon Net. Italy. Pure Olive Oil," and "Olive Oil, Phillip Berio and C. Lucca," and also with design of medal, and the statement, "Phillip Berio and C. Lucca, Tuscany."

Adulteration of the article was alleged in the libel for the reason that certain other substances, to wit, peanut oil, cottonseed oil, and corn oil, had been mixed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the cans bore false and misleading statements, designs, and devices regarding the article,

to wit, that the contents thereof were "Pure Olive Oil," and the said contents were so marked and labeled, and which said statement and mark, together with the design and general appearance of said label, were false and misleading, and deceived and misled the purchaser, when, in truth and in fact, the article consisted in large part of certain other substances than olive oil, to wit, peanut oil, cottonseed oil, and corn oil, and was not the product of "Phillip Berio and C. Lucca, Tuscany," and did not come from Tuscany. Misbranding of the article was alleged for the further reason that the contents of the packages as originally put up had been removed in whole or in part and other contents, to wit, peanut oil, cottonseed oil, and corn oil, or some of them, had been placed in such packages instead of the original contents; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure olive oil; and for the further reason that when labeled and branded as aforesaid it purported to be a foreign product, to wit, a product of Tuscany, Italy, when, in truth and in fact, it was not a foreign product, but was a domestic product. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of the packages was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count, but, on the contrary, the quantity of the contents of the bottles was falsely and incorrectly stated on the outside thereof, to wit, as "Half Full Gallon Net," when, in truth and in fact, the quantity of the contents of said bottles or cans was not a half full gallon net, but was materially less, to wit, 3.20 per cent less than such quantity so marked thereon.

On May 2, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7099. Adulteration of oranges. U. S. * * * v. 50 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9698. I. S. No. 14371-r. S. No. E-1243.)

On February 11, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 boxes of oranges, consigned by the California Mutual Packing Co., remaining unsold in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped on February 3, 1919, and transported from the State of Massachusetts into the State of Connecticut, and charging adulteration in violation of the Food and Drugs Act. The oranges were originally shipped from California by the California Mutual Packing Co., to the State of Massachusetts and reshipped from the State of Massachusetts into the State of Connecticut by Sweeney, Lynes & Co., Boston, Mass.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 28, 1919, James J. Morrissey, Boston, Mass., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7100. Misbranding of Fruit-a-tives. U. S. * * * v. 79 Dozen Packages of Fruit-a-tives. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9281. I. S. No. 12517-r. S. No. E-1102.)

On August 30, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 79 dozen packages of Fruit-a-tives consigned on August 15, 1918, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Fruitatives Limited, Ogdensburg, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Fruit-a-tives" "Fruit Liver Tablets."

Analysis of a sample of the article, made in the Bureau of Chemistry of this department, showed the pills to consist essentially of aloes, quinine, nux vomica, mydriatic alkaloids, and quassia. Citric and tartaric acids, indicative of fruit juices, were absent.

Misbranding of the article was alleged in the libel of information for the reason that the packages and labels thereof bore certain statements, designs, and devices regarding the article and the ingredients and substances contained therein, that is to say the word "Fruit-a-tives" "Fruit Liver Tablets," together with designs on the carton labeling, showing an apparatus receiving a number of different fruits and discharging apparently Fruit-a-tive Tablets, which said statements, designs, and devices were false and misleading in that they conveyed the impression that the laxative properties of the article were due to the presence of fruit or fruit extracts, when, in truth and in fact, said laxative properties were due to the presence of aloes and nux vomica in the article. Misbranding of the article was alleged in substance for the further reason that the packages and labels thereof bore certain statements regarding the curative and therapeutic effects of the article, that is to say, "Strengthens the Stomach and Liver, Tones up the Nervous System, Tones and Sweetens the Stomach, Relieves Headaches, Dizziness, Backache. Fruit-a-tives is an effective remedy * * * and has a distinctly remedial action on the stomach, liver, bowels, kidneys, skin, and nervous system. Fruit-a-tives is a remedy, treatment, or cure for indigestion, kidney irritation, skin diseases, headaches, backaches, sleeplessness, pelvic pains, nervous depression, blood impurities and catarrh," which said statements were false and fraudulent in that the article was incapable of producing the curative and therapeutic effects claimed for it.

On November 26, 1919, the Eastern Drug Co., Boston, Mass., claimant, having filed a good and sufficient bond in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL,
Acting Secretary of Agriculture.

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7101-7150.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 13, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7101. Misbranding of corned beef. U. S. * * * v. 40 Boxes of Corned Beef. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9388. I. S. No. 14777-r. S. No. E-1135.)

On October 16, 1918, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 boxes of corned beef at Jersey City, N. J., alleging that the article had been shipped on or about July 29, 1918, by the Jacob Dold Packing Co., Brooklyn, N. Y., and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act. The article was stamped with the design of a shield bearing the letters "U. S. N."

Misbranding of the article was alleged in the libel for the reason that the design and device, borne on the labels of the boxes containing the article, were false and misleading in that they indicated that the product complied with the standards required by the United States Navy, when, in truth and in fact, it did not comply with the United States Navy standards.

On April 30, 1919, the said Jacob Dold Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of this department.

E. D. BALL,
Acting Secretary of Agriculture.

- 7102. Misbranding of Fruit-a-tives. U. S. * * * v. 204 Packages of Fruit-a-tives. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9455. I. S. No. 12535-r. S. No. E-1156.)

On November 15, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 204 packages, consigned on October 21, 1918, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Fruitatives Limited, Ogdensburg, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Fruit-a-tives" "Fruit Liver Tablets".

Analysis of a sample of the product from a previous shipment by the Bureau of Chemistry of this department showed that it contained essentially extracts of aloes, nux vomica (strychnine), and cinchona bark (quinine).

Misbranding of the article was alleged in the libel of information for the reason that the packages and labels thereof bore certain statements, designs, and devices, regarding the article and the ingredients and substances contained therein, that is to say, the words "Fruit-a-tives" "Fruit Liver Tablets", together with designs on the carton labeling showing an apparatus receiving a number of different fruits and discharging apparently Fruit-a-tive Tablets, which said statements, designs, and devices were false and misleading in that they conveyed the impression that the laxative properties of the article were due to the presence of fruit or fruit extracts, when, in fact, said laxative properties were due to the presence of aloes and nux vomica in the article. Misbranding of the article was alleged in substance for the further reason that the packages and labels thereof bore certain statements regarding the curative and therapeutic effects of the article, that is to say, "Strengthens the Stomach and Liver, Stimulates the Kidneys, Tends to Purify the Blood, Tones up the Nervous System, Relieves Recurring Headaches, Dizziness, Backache. Fruit-a-tives is an Effective Remedy * * * and has a Distinct Remedial action on the Stomach, Bowels, Kidneys, Skin, and Nervous system. * * * In Indigestion, Kidney Irritation, Skin Diseases, Headaches, Backaches, Sleeplessness, Pelvic Pains, Nervous Depression and Blood Impurities. Fruitatives is very beneficial and highly recommended for Indigestion or Dyspepsia, Fruitatives will materially aid in relieving this disease Rheumatism," which said statements were false and fraudulent in that the article was incapable of producing the curative and therapeutic effects claimed for it.

On November 17, 1918, Gilman Bros. (Inc.), Boston, Mass., claimant, having filed a good and sufficient bond in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL,
Acting Secretary of Agriculture.

- 7103. Adulteration and misbranding of olive oil. U. S. * * * v. 9 Cases of So-Called Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9701. I. S. Nos. 13831-r, 13832-r. S. No. E-1241.)

On February 13, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the Dis-

trict Court of the United States for said district a libel for the seizure and condemnation of 9 cases, each containing 12 1-gallon cans of so-called olive oil, consigned by A. Dimino, New York, N. Y., remaining unsold in the original unbroken packages at Phillipsburg, N. J., alleging that the article had been shipped on or about January 27, 1919, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the cans were labeled in part, "Finest Quality Olive Oil Extra Pure, of Termini Imerese, Italy Sicilia Italia * * * Guaranteed Absolutely Pure (picture of olive tree)." A portion were labeled in part, "Vergine. This olive oil is guaranteed to be absolutely pure and is made from the finest selected olives grown on the Italian Riviera. This Vergine oil is highly recommended for medicinal and table use * * *."

Adulteration of the article was alleged for the reason that it purported to be pure olive oil produced in Italy, when, in fact, it consisted wholly or in part of cottonseed oil, which had been substituted for olive oil. It was further alleged that the article in the cans labeled "Vergine" olive oil was sold under a name recognized in the United States Pharmacopœia, and differed from the standard described by that authority, and its own standard was not stated upon the label.

Misbranding of the article was alleged in substance for the reason that the statements, designs, and devices borne on the labels and in the circulars, regarding the article and the ingredients and substances contained therein, were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; and for the further reason that it purported to be olive oil when, as a matter of fact, it consisted largely or wholly of cottonseed oil; and for the further reason that it purported to be a foreign product, when not so; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that it was falsely branded as to the country in which it was produced.

On June 14, 1919, the said A. Dimino, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the product should be repacked and relabeled under the supervision of a representative of this department.

E. D. BALL,
Acting Secretary of Agriculture.

**7104. Adulteration and misbranding of Orange Jooj. U. S. * * * v. 5
Barrels of Orange Jooj. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9702. I. S. No. 6129-r. S. No. C-1062.)**

On February 13, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of Orange Jooj, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the product had been shipped on or about October 7, 1918, by the Orange Julep Co., St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Sirup Orange Jooj 'Its Cloudy'

'That's the Fruit,' Juleped Oranges (design of half an orange) Contains 1/20 of 1% Sodium Benzoate. Small Amount of Certified Color * * *, and "Manufactured by The Orange Julep Co., St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that it was a product composed of sugar, glucose, water, flavor, and artificial color which had been substituted for orange juice syrup, and for the further reason that it was artificially colored in a manner whereby its inferiority was concealed, and for the further reason that it contained an added deleterious ingredient, to wit, salicylic acid, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that the statements on the labels of the barrels, together with the pictorial designs thereon, were false and misleading and deceived and misled, and for the further reason that the quantity of the contents was not declared on the labels on the barrels.

On March 21, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7105. Adulteration of oranges. U. S. * * * v. 44 Boxes of Adulterated Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9703. I. S. No. 2500-r. S. No. W-276.)

On February 14, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 44 boxes of oranges, remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on January 30, 1919, by the Rialto Fruit Co., Rialto, Calif., and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled "Wild Flower Brand Randolph Marketing Co., California."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and that frosted and damaged oranges had been substituted for normal oranges of good commercial quality.

On May 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7106. Adulteration and misbranding of spring water. U. S. * * * v. 10 Cases of West Baden Concentrated Spring Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9704. I. S. No. 5889-r. S. No. C-1069.)

On February 14, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of West Baden Concentrated Spring Water, consigned on December 16, 1918, by the West Baden Springs Co., West Baden, Ind., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "West Baden Concentrated Spring Water Best For The Bowels From West Baden Springs Co. West Baden, Ind." "Active Cathartic West Baden

Concentrated No. 7 Spring Water Fortified with Magnesium And Sodium Sulphates West Baden Springs Co. West Baden, Ind. U. S. A. * * * Analyses * * * Contents 1 Pint 9 3/5 Fluid Ounces. * * *."

Adulteration of the article was alleged in the libel for the reason that it contained and in part consisted of a filthy and decomposed animal substance.

Misbranding of the article was alleged for the reason that the label on the bottles bore and contained a statement, to wit, "Renders excellent service in all nutritional disturbances such as gout, rheumatism, uric acid, diabetes, obesity," regarding the curative and therapeutic effects of the article and of the ingredients and substances contained therein, [which] was false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it, and in that the product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the statements borne on the labels of the bottles.

On September 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7107. Misbranding of cottonseed meal. U. S. * * * v. 500 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9705. I. S. No. 7522-r. S. No. C-1072.)

On February 17, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 sacks of cottonseed meal, remaining unsold in the original unbroken packages at Garrison, Iowa, alleging that the article had been shipped on or about December 31, 1918, by the Hayes Grain & Commission Co., Little Rock, Ark., and transported from the State of Arkansas into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Supreme Brand Cotton Seed Meal."

Misbranding of the article was alleged for the reason that the statements borne on the labels were false and misleading and deceived and misled the purchaser in that the purchaser would believe that each of said sacks contained 6 per cent of crude fat, 38.6 per cent of crude protein, and not more than 10 per cent of crude fiber, when, in truth and in fact, said article contained only 5.46 per cent crude fat, 36.4 per cent crude protein, and 14.6 per cent crude fiber. Misbranding of the article was alleged for the further reason that it was food in sacks or containers, the contents of which were not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or number.

On March 17, 1919, W. C. Nothern and said Hayes Grain & Commission Co., and the Searcy Oil & Ice Co., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the cost of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be inspected and rebranded under the supervision of a representative of this department, so as to disclose accurately and correctly the contents thereof.

E. D. BALL,
Acting Secretary of Agriculture.

7108. Adulteration and misbranding of butter. U. S. * * * v. 2 Boxes of Butter and U. S. * * * v. 5 Boxes of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9706. I. S. No. 15464. S. No. E-1244.)

On February 17, 1919, and February 20, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 2 boxes and 5 boxes, each containing 60 pounds of butter, consigned on or about February 4, 1919, and January 28, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Fred G. Mansfield Co., London, Wis., and transported from the State of Wisconsin into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The 1-pound retail packages were labeled in part: “* * * This butter is made from pure, sweet cream and on account of its high, rich, delicate flavor, should be kept in a cool place entirely away from vegetables and other like products. * * *.”

Adulteration of the article was alleged in each libel for the reason that a substance deficient in milk fat and a substance, water, had been mixed and packed therewith, so as to reduce and lower its quality and strength, and had been substituted wholly or in part for butter made from pure, sweet cream, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the above-quoted labeling was false and misleading and deceived and misled the purchaser into the belief that the article was butter made from pure, sweet cream, whereas it was not, but was a substance deficient in milk fat, and a substance, to wit, water, had been mixed and packed with, and substituted wholly or in part for, butter made from pure, sweet cream, which the article purported to be; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On March 14, 1919, Edgar P. Hibberd, Baltimore, Md., claimant, having appeared and filed his answer to the libel, and the same having been read and considered by the court and due deliberation having been had, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$600, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7109. Adulteration of oranges. U. S. * * * v. 924 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 9707. I. S. Nos. 6406-r, 6407-r. S. No. C-1058.)

On February 4, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 924 boxes of oranges, consigned on or about January 18, 1919, by the Sutherland Fruit Co., Riverside, Calif., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of California into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, “Navels White Cap Brand, packed by Sutherland Fruit Co., California.”

Adulteration of the article was alleged in the libel for the reason that it consisted of a decomposed vegetable substance.

On March 22, 1919, the said Sutherland Fruit Co., claimant, having admitted the facts alleged in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7110. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 7,000 Tablets of Alleged Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9708. I. S. No. 7517-r. S. No. C-1074.)

On February 18, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 packages, each containing 1,000 alleged aspirin tablets, at Harvey, Ill., alleging that the article had been shipped on September 27, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Acetylsalicylic Acid Tablets 'Aspirin.'"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the tablets to consist essentially of starch, milk sugar, talc, calcium carbonate, salicylic acid, and a small amount of acetic acid. No acetylsalicylic acid was present.

Adulteration of the article was alleged in the libel for the reason that each package purported to contain an article known as 5-grain acetylsalicylic acid tablets or aspirin tablets, whereas, in truth and in fact, the strength and purity of the article fell below the professed standard and quality under which it was sold, to wit, "(5 gr.) Acetylsalicylic Acid Tablets 'Aspirin,'" in that it contained no acetylsalicylic acid or aspirin.

Misbranding of the article was alleged for the reason that the statement appearing on the packages, to wit, "1,000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin,'" was false and misleading in that it represented to the purchaser that the tablets contained in each package consisted of 5 grains of acetylsalicylic acid or aspirin, whereas, in truth and in fact, they contained no acetylsalicylic acid or aspirin; and for the further reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, genuine 5-grain acetylsalicylic acid tablets or aspirin, whereas, in truth and in fact, the tablets contained no acetylsalicylic acid or aspirin.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7111. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9710. I. S. No. 5764-r. S. No. C-1065.)

On January 31, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped

on or about January 21, 1919, by the Sutherland Fruit Co., Riverside, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Native Brand Packed by Sutherland Fruit Co., California."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed, filthy, and putrid vegetable substance.

On February 13, 1919, the said Sutherland Fruit Co., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings, and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7112. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9711. I. S. No. 2245-r. S. No. C-1066.)

On January 31, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about January 22, 1919, by the Sutherland Fruit Co., Riverside, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Songster Brand Packed by Sutherland Fruit Co. California."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, putrid vegetable substance.

On February 13, 1919, the said Sutherland Fruit Co., claimant, having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7113. Adulteration of eggs. U. S. * * * v. Albert Kelso de Wolf. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9726. I. S. No. 5554-r.)

On May 21, 1919, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Albert Kelso de Wolf, Winner, S. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 6, 1918, from the State of South Dakota into the State of Nebraska, of a quantity of eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 15 cases there were 476 inedible eggs, or 8.8 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 26, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7114. Misbranding of Phoenix The Ideal Shortening. U. S. * * * v. Phoenix Cotton Oil Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9728. I. S. Nos. 3621-p, 7139-p.)

On May 1, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Phoenix Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 20, 1918, from the State of Tennessee into the State of Georgia, of a quantity of an article, labeled in part "Phoenix * * * The Ideal Shortening," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that 9 tubs of one lot had an average net weight of 56.05 pounds, and 10 tubs of a second lot had an average net weight of 53.74 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Weight 60 lbs.," borne on the tubs containing the article, regarding it, was false and misleading in that it represented that each of said tubs contained 60 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said tubs contained 60 pounds net of the article, whereas, in truth and in fact, each of said tubs did not, but contained a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 20, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7115. Adulteration of shell eggs. U. S. * * * v. George C. Maryott. Plea of guilty. Fine, \$5. (F. & D. No. 9731. I. S. No. 5659-r.)

On April 30, 1919, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George C. Maryott, Macy, Nebr., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 15, 1918, from the State of Nebraska into the State of Iowa, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 3 half-cases there were 55 inedible eggs, or 10.2 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 6, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL,
Acting Secretary of Agriculture.

7116. Adulteration of eggs. U. S. * * * v. Sam Raich (Venturia Cash Store). Plea of guilty. Fine, \$50. (F. & D. No. 9732. I. S. No. 5506-r.)

On April 28, 1919, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sam Raich, doing business as the Venturia Cash Store, Venturia, N. Dak., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 15, 1918, from the State of North Dakota into the State of Minnesota, of a quantity of eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 8 half-cases there were 139 inedible eggs, or 9.6 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 11, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL,
Acting Secretary of Agriculture.

7117. Adulteration of tomato sauce. U. S. * * * v. Reed Pickle Works, a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9733. I. S. No. 16825-p.)

On May 15, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Reed Pickle Works, a corporation, San Francisco, Calif., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 28, 1917, from the State of California into the Territory of Hawaii, of a quantity of an article, labeled in part "Mrs. Reed's Pioneer Brand Tomato Sauce Hot Spanish Style Packed by Reed Pickle Works San Francisco," which was adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted in whole or in part of a filthy, decomposed vegetable substance.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On May 27, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7118. Adulteration of tomato pulp. U. S. * * * v. Herbert C. Roberts (W. H. Roberts & Co.). Plea of *nolo contendere*. Fine, \$20 and costs. (F. & D. No. 9734. I. S. Nos. 1653-p, 1655-p.)

On May 20, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Herbert C. Roberts, trading as W. H. Roberts & Co., Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 9, 1917, and October 4, 1917, from the State of Maryland into the State of New York, of quantities of an article, labeled in part "Seaside Brand Tomato Pulp, Packed by W. H. Roberts & Co., Baltimore, Md.", which was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the tomato pulp was manufactured from partially decayed tomatoes.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

On May 20, 1919, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7119. Adulteration and misbranding of elixir potassium bromid and adulteration of tannic acid ointment. U. S. * * * v. The Henry Evans Co., Inc., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 9739. I. S. Nos. 3792-p, 3793-p.)

On May 23, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against The Henry Evans Co. (Inc.), a corporation doing business at Washington, D. C., alleging that said defendant company did offer for sale and sell, in violation of the Food and Drugs Act, on May 14, 1918, at the District aforesaid, a quantity of elixir potassium bromid which was adulterated and misbranded, and a quantity of tannic acid ointment which was adulterated.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the elixir of potassium bromid to contain 35.1 grams of solids (in vacuo at 70° C.), 8.85 grams of ash, 8.69 grams of bromids, as potassium bromid, per 100 cc., and 26.93 per cent of alcohol by volume. The tannic acid ointment was found to contain 5.02 per cent of tannic acid and no glycerin, the vehicle consisting essentially of petrolatum.

Adulteration of the elixir of potassium bromid was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said National Formulary, official at the time of investigation of the article, in that said article contained in 1,000 mils approximately 87 grams of potassium bromid, whereas said National Formulary provides that it shall contain in 1,000 mils not less than 175 grams of potassium bromid, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that it contained alcohol, and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

Adulteration of the tannic acid ointment was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopoeia, official at the time of investigation of the article, in that said article contained in 100 grams 5.02 grams of tannic acid and no glycerin, whereas said Pharmacopoeia provides that it shall contain in 100 grams not less than 20 grams of tannic acid and not less than 20 grams of glycerin, and in that it contained petrolatum which is not mentioned as an ingredient of tannic acid ointment in said Pharmacopoeia, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

On May 23, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL,
Acting Secretary of Agriculture.

7120. Adulteration and misbranding of Elix Potassii Bromidi. U. S. * * * v. Thomas E. Ogram. Collateral of \$100 forfeited. (F. & D. No. 9740. I. S. No. 4035-p.)

On May 1, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Thomas E. Ogram, Washington, D. C., alleging that said defendant did offer for sale and sell, on May 13, 1918, at the District aforesaid, in violation of the Food and Drugs Act, a quantity of an article, labeled in part "Elix Potassii Bromidi," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing 5.33 grams of boric acid, as H_3BO_3 , per 100 cc., and that bromids, alcohol, and sugar were absent.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the tests laid down in said National Formulary, official at the time of the investigation of the article, in that said article contained in 1000 mils no potassium bromid, whereas said National Formulary provides that it shall contain not less than 175 mils of potassium bromid, and in that said drug contained 53.3 grams of boric acid [per 1000 mils] which [substance] is not mentioned as an ingredient of elixir of potassium bromid in said Formulary; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "Elix Potassii Bromidi," borne on the labels attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was elixir potassium bromid, whereas, in truth and fact, it was not, but was a product which contained no potassium bromid, and which consisted in large part of boric acid.

On May 1, 1919, the said defendant having failed to appear, the collateral of \$100 that had theretofore been deposited by him was forfeited.

E. D. BALL,
Acting Secretary of Agriculture.

7121. Adulteration and misbranding of table oil. U. S. * * * v. Gaetano Garro and Sebastiano Trusso (Garra & Trusso). Pleas of guilty. Fine, \$100. (F. & D. No. 9743. I. S. No. 13655-r.)

On April 30, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gaetano Garra and Sebastiano Trusso, copartners, trading as Garra & Trusso, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on June 25, 1918, from the State of New York into the State of Rhode Island, of a quantity of an article, labeled in part "Finest Quality Table Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product in the cans of each size to be cottonseed oil with a slight amount of olive oil. The net volume of the gallon size was found to be 3 quarts, 1 pint, 10.5 fluid ounces; that of the half gallon size to be 1 quart, 1 pint, 13.5 fluid ounces; and that of the quart size to be 1 pint, 15.1 fluid ounces.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Table Oil Insuperable, Termini Imerese Type, Net Contents One Gallon" or "Half gallon," or "One quart," together with the design and device of natives gathering olives from olive trees, not corrected by the statement in inconspicuous type "cottonseed oil slightly flavored with olive oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading, in that they represented that the article was olive oil, and that each of said cans contained 1 gallon, or 1 half gallon, or 1 quart, net, of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained 1 gallon, or 1 half gallon, or 1 quart net of the article, whereas, in truth and in fact, it was not olive oil and each of said cans did not contain 1 gallon, or 1 half gallon, or 1 quart net of the article, but said article was a mixture composed in large part of cottonseed oil, and each of said cans contained less than 1 gallon, or 1 half gallon or 1 quart, net, of the article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 21, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL,
Acting Secretary of Agriculture.

7122. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$25. (F. & D. No. 9741. I. S. No. 11351-r.)

On April 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on July 16, 1918, from the State of New York into the State of Ohio, of a quantity of an article, labeled in part, "Finest Quality Olive Oil Extra Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be strongly positive and the net volume to be 1 pint 10.88 fluid ounces.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil, Extra Pure, Guaranteed Absolutely Pure, Tipo Termini Imerese Italy, Sicilia-Italia, $\frac{1}{4}$ Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that

the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{4}$ gallon net of the article, but did contain a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the statements on the can purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7123. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$5. (F. & D. No. 9745. I. S. No. 11352-r.)

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on May 24, 1918, from the State of New York into the State of Ohio, of a quantity of an article, labeled in part "Olio Puro D'Oliva," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be strongly positive and the net volume of the cans to be 3 quarts, 1 pint, 5 fluid ounces.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio Puro D'Oliva, Lucca Tipo Italy, Olio Puro D'Oliva, Garantito Produzione Propria, Net Contents Full Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid

so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and that each of said cans did not contain 1 full gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured or produced in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL,
Acting Secretary of Agriculture.

7124. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$200. (F. & D. No. 9746. I. S. No. 13661-r.)

On May 12, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on May 7, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Finest Quality Olive Oil Extra Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be positive and the net volume of the cans to be 1 pint, 12 fluid ounces.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure, Guaranteed Absolutely Pure, Termini Imerese Sicilia—Italia, $\frac{1}{4}$ Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of

the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{4}$ gallon net of the article but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured or produced in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the statements on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 21, 1919, the defendant entered a plea of guilty to the information and the court imposed a fine of \$200.

E. D. BALL,
Acting Secretary of Agriculture.

7125. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$25. (F. & D. No. 9747. I. S. No. 13713-r.)

On April 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act, as amended, on July 9, 1918, from the State of New York into the State of Pennsylvania, of a quantity of an article labeled in part "Olio Puro D'Oliva," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be very strongly positive and the net volume of the cans to be 0.933 gallon.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio Puro D'Oliva, Lucca Tipo Italy, Olio Puro D'Oliva Garantito Produzione Propria, Net Contents Full Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each

of said cans did not contain 1 gallon net of the article, but did contain a less amount, and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced, in whole or in part, in the United States of America, and was branded as manufactured and produced in the kingdom of Italy, and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the statements on the can purported that the article was a foreign product when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 7, 1919, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7126. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, §5. (F. & D. No. 9748. I. S. No. 16028-r.)

On July 23, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on July 3, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Vergine First Pressing Cream Olive Oil * * * For Medicinal and Table Use," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity, 25° C./25° C-----	0.9195
Iodin number-----	109.0
Halphen test for cottonseed oil: Strongly positive.	
Net volume (gallon)-----	.92

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be. Adulteration of the article was alleged for the further reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation of the article, in that said Pharmacopœia provides that olive oil is a fixed oil obtained from Olea Europea, whereas said article was an oil obtained in large part from cotton seed, and in that said Pharmacopœia provides that the specific gravity of olive oil shall be 0.910 to 0.915 at 25° C., whereas the specific gravity of the article was 0.9195 at 25° C., and in that said Pharmacopœia provides that the iodin number of olive oil shall not be more than 90, whereas the article showed an iodin number of 109.0.

Misbranding of the article was alleged for the reason that the statements, to wit, "This Olive Oil is Guaranteed to be Absolutely Pure and is Made from the Finest Selected Olives Grown on the Italian Riviera. This Virgin Oil is Highly Recommended for Medicinal and Table Use. Vergine Questo Olio

D'Oliva, Prodotto Della Riviera Ligure, E Garantito Purissimo. E Insuperabile Sia Per Uso Medicinale Che Per Tavola. One Gallon Full Measure Guaranteed. First Pressing Cream Olive Oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced on the Italian Riviera, and that each of said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, and that it was a foreign product, to wit, an olive oil produced on the Italian Riviera, and that each of said cans contained 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced on the Italian Riviera, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon net of the article, but contained a less amount, and for the further reason that it was falsely branded as to the country in which it was produced, in that it was a product produced in whole or in part in the United States of America, and was branded as produced on the Italian Riviera, and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL,
Acting Secretary of Agriculture.

7127. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$5. (F. & D. No. 9749. I. S. No. 18426-r.)

On July 22, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on July 3, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Vergine First Pressing Cream Olive Oil * * * For Medicinal and Table Use," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity, 25° C./25° C-----	0.9195
Index of refraction, 25° C-----	1.4712
Iodin number-----	115.0

Halphen test for cottonseed oil: Strongly positive.

The average net volume of 46 cans was 0.87 quart.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to

be. Adulteration of the article was alleged for the further reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation of the article, in that said Pharmacopœia provides that olive oil is a fixed oil obtained from Olea Europæa, whereas said article was an oil obtained in large part from cotton seed, and in that said Pharmacopœia provides that the specific gravity of olive oil shall be 0.910 to 0.915 at 25° C., whereas the specific gravity of the article was 0.9195 at 25° C., and in that said Pharmacopœia provides that the iodin number of olive oil shall not be more than 90, whereas said article showed an iodin number of 115.0.

Misbranding of the article was alleged for the reason that the statements, to wit, "This Olive Oil is Guaranteed to be Absolutely Pure and is Made from the Finest Selected Olives Grown on the Italian Riviera. This Virgin Oil is Highly Recommended for Medicinal and Table Use. Vergine Questo Olio D'Oliva, Prodotto Della Riviera Ligure, E Garantito Purissimo. E Insuperabile Sia per Uso Medicinale che per Tavola. First Pressing Cream Olive Oil. One Quart Full Measure Guaranteed," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced on the Italian Riviera, and that each of said cans contained 1 full quart net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced on the Italian Riviera, and that each of said cans contained 1 full quart net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced on the Italian Riviera, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full quart net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was produced in that it was a product produced in whole or in part in the United States of America, and was branded as produced on the Italian Riviera, and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL,
Acting Secretary of Agriculture.

7128. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$5. (F. & D. No. 9750. I. S. No. 18427-r.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on June 19, 1918, from the

State of New York into the State of Florida, of a quantity of an article, labeled in part "Olio Puro D'Oliva," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be strongly positive and the net volume of the cans to be 0.95 gallon.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements "Olio Puro D'Oliva, Lucca Tipo Italy, Olio Puro D'Oliva Garantito Produzione Propria, Net Contents Full Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL,
Acting Secretary of Agriculture.

7129. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$25. (F. & D. No. 9751. I. S. No. 18428-r.)

On April 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on June 19, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Finest Quality Olive Oil Extra Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be strongly positive, and the net volume of the cans to be 0.898 gallon.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure, Guaranteed Absolutely Pure, Tipo Termini Imerese Italy, Sicilia-Italia, 1 Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 gallon net of the article, but did contain a less amount, and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced, in whole or in part, in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the statements on the can purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

**7130. Adulteration and misbranding of rice bran. U. S. * * * v. 2695
Sacks, More or Less, of a Product Purporting to be Rice Bran.
Consent decree of condemnation and forfeiture. Product ordered
released on bond. (F. & D. No. 9705. I. S. No. 2414-r. S. No. W-279.)**

On February 21, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,695 sacks, more or less, of a product purporting to be rice bran, remaining unsold in the original unbroken packages at Seattle, Wash., consigned on or about February 14, 1919, by the Pacific Rice By-Products Co., San Francisco, Calif., alleging that the article had been shipped and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a product consisting largely of rice hulls had been mixed and packed therewith,

and had been substituted wholly or in part for rice bran, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, rice bran.

On March 12, 1919, the Seattle Flour Mills, Seattle, Wash., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as rice bran and hulls, 50 per cent hulls.

E. D. BALL,
Acting Secretary of Agriculture.

7131. Adulteration and misbranding of olive oil. U. S. * * * v. 24 Gallon Cans, 48 Half-gallon Cans, and 96 Quarter-gallon Cans of Olive Oil (so called). Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9768. I. S. No. 12720-r. S. No. E-1256.)

On February 24, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 gallon cans, 48 $\frac{1}{2}$ -gallon cans, and 96 $\frac{1}{4}$ -gallon cans of olive oil, so called, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about September 11, 1918, by Basileous Importing Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pure Extra Fine Olive Oil (wreath of olive twigs bearing olives) Madrid Brand Imported from Spain."

Adulteration of the article was alleged in the libel for the reason that cotton-seed oil had been mixed and packed in the gallon and $\frac{1}{4}$ -gallon cans so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for olive oil, which the article purported to be; and for the further reason that cottonseed oil and corn oil had been mixed and packed with the article contained in the $\frac{1}{2}$ -gallon cans so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements and designs borne on the cans were false and misleading, that is to say, the following words and designs, "Pure Extra Fine Olive Oil (wreath of olive twigs bearing olives) * * * Extra Sublime Olive Oil for Medicinal and Table Uses. * * *," which said words and designs were intended to be of such a character as to induce the purchaser to believe that the article was olive oil, when, in truth and in fact, it was not, and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture packed in the United States; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count; and for the further reason that the article was misbranded in being labeled "One Full Gallon," "Half Full Gallon," and "One Full Quarter Gallon," respectively,

whereas examination showed each of said cans to be considerably short in volume.

On April 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7132. Adulteration of cereal flour. U. S. * * * v. 19 Bags of Cereal Flour. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9770. I. S. No. 2526-r. S. No. W-282.)

On or about February 25, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 bags of cereal flour, remaining unsold in the original unbroken packages at Denver, Colo., consigned by Charles Herendeen Mill Co., Danville, Ill., alleging that the article had been shipped on or about July 2, 1918, and transported from the State of Illinois into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed vegetable and animal substance.

On April 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal at either private or public sale for animal food only.

E. D. BALL,
Acting Secretary of Agriculture.

7133. Adulteration and misbranding of rice bran. U. S. * * * v. 1,190 Sacks of a Product Purporting to be Rice Bran. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9771. I. S. No. 2415-r. S. No. W-281.)

On February 24, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,190 sacks of a product purporting to be rice bran, consigned on or about February 13, 1919, by the Nolan Mill & Feed Co., San Francisco, Calif., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a product consisting largely of rice hulls had been mixed and packed therewith, and had been substituted wholly or in part for rice bran, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, rice bran.

On March 20, 1919, Charles Nelson Co., Seattle, Wash., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as rice bran and hulls, 60 per cent hulls.

E. D. BALL,
Acting Secretary of Agriculture.

7134. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9772. I. S. No. 13406-r. S. No. E-1252.)

On February 24, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, consigned by T. H. Peppers, Highland, Calif., remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on January 16, 1919, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was variously labeled in part, "Cloister Brand Oranges" and "Parent Tree Brand Oranges," and "Packed by California Mutual Packing Co., Riverside, Orange-Lindsay, Calif."

Adulteration of both brands of the oranges was alleged in the libel for the reason that they consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 27, 1919, F. Brennisen & Son, Buffalo, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be sorted and repacked, the decayed and unfit oranges to be eliminated under the supervision of a representative of this department.

E. D. BALL,
Acting Secretary of Agriculture.

7135. Adulteration of salmon. U. S. * * * v. 500 Cases * * * of Pink Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9773. I. S. No. 15292-r. S. No. E-1251.)

On February 28, 1919, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases, each containing 48 cases of pink salmon, at Huntington, W. Va., consigned by the Pettigrew Zinn Co., San Francisco, Calif., alleging that the article had been shipped on or about January 21, 1918, and transported from the State of California into the State of West Virginia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Diamond S Brand Pink Salmon."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7136. Adulteration and misbranding of santal oil. U. S. * * * v. 7 Boxes and 91 Boxes of Santal Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9774. I. S. No. 6194-r. S. No. C-1082.)

On February 27, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 7 boxes, more or less, each containing 100 capsules 10 minims, and 91 boxes, more or less, each containing 100 capsules 5 minims of santal oil, at Cleveland, Ohio, alleging that the article had been shipped on or about January 15, and February 13, 1918, by the Evans Drug Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and did not comply with tests therein laid down, and in that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the statements borne on the labels of the boxes were false and misleading in that said statements indicated that the contents of said boxes was santal oil, whereas it was a mixture of santal oil and cottonseed oil, and it contained approximately 65 per cent cottonseed oil, and the 10 minims capsules showed an average shortage of 5.5 per cent, and the 5 minims capsules showed an average shortage of 16.8 per cent, and for the further reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, santal oil.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7137. Adulteration of Chili peppers. U. S. * * * v. 16 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9775. I. S. No. 7013-r. S. No. C-1084.)

On February 27, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 sacks, containing approximately 2,533 pounds of Chili peppers, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about January 27, 1919, by the Simon Levi Co., Los Angeles, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On April 9, 1919, the Edward Westen Tea & Spice Co., St. Louis, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7138. Adulteration and misbranding of table oil. U. S. * * * v. 21 1-Gallon Cans of Alleged Table Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9777. I. S. No. 13401-r. S. No. E-1253.)

On February 28, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 21 1-gallon cans of table oil, remaining unsold in the original unbroken packages at Carnegie, Pa., alleging that the article had been shipped on January 28, 1919, by D. Spiropulos and J. Theodore, New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding. The article was labeled in part, "Finest Quality Table Oil. Insuperabile Termini Imerese Type * * * cottonseed oil slightly flavored with olive oil." (Picture on label showing olives picked from olive tree.)

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith and substituted wholly or in part for table oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, designs, and devices borne on the labels, not corrected by the statement in inconspicuous type "cottonseed oil slightly flavored with olive oil," were false and misleading and deceived and mislead the purchaser, in that they conveyed the impression that the article was olive oil, when it was not, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that it purported to be a foreign product, when not so; and for the further reason that it was labeled "Net Contents 1 Gallon," whereas examination showed the quantity of the contents to be incorrectly stated.

On August 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be properly labeled under the supervision of a representative of this department, and should be sold at public auction by the United States marshal.

E. D. BALL,
Acting Secretary of Agriculture.

7139. Misbranding of olive oil. U. S. * * * v. 21 Cases and 14 Half-gallon Cans and 46 Quart Cans of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9779, 9824, 9825. I. S. Nos. 2571-r, 2572-r. S. No. W-283.)

On or about March 6, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 cases and 14 half-gallon cans and 46 quart cans of olive oil, consigned by R. Gerber & Co., Chicago, Ill., remaining unsold in the original unbroken packages at Trinidad, Colo., alleging that the article had been shipped on or about October 25, 1917, and December 26, 1917, and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Ottimo Brand Virgin Olive Oil."

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not stated in terms of measure correctly on the outside of the cans. Misbranding of the article was alleged for the further reason that on each and every can the measure of the contents thereof was falsely overstated; that on each gallon can it was stated to contain "1 Gal. Net," when, in fact, said cans did not contain 1 gallon net, but every one of said cans contained less than a gallon net, to wit, about 3.05 per cent less than a gallon; that on each half-gallon can it was stated that it contained " $\frac{1}{2}$ Gal. Net," when, in fact, the said cans did not contain $\frac{1}{2}$ gallon net, but each and every one of said half-gallon cans contained less than $\frac{1}{2}$ gallon net, to wit, about 5 per cent less than $\frac{1}{2}$ gallon net; that on each

quart can it was stated that it contained "½ Gal. Net," when, in fact, said cans did not contain ½ gallon net, but each and every one of said cans contained less than ½ gallon net, to wit, about 7 per cent less than ½ gallon net; that said statements as to the measure of the contents of said cans were false and misleading.

On April 10, 1919, Jay J. Gerber and Norman Gerber, copartners, trading as R. Gerber & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

E. D. BALL,
Acting Secretary of Agriculture.

7140. Adulteration of powdered capsicum. U. S. * * * v. Allaire, Woodward & Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9738. I. S. No. 6565-p.)

On May 6, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Allaire, Woodward & Co., a corporation, Peoria, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1918, from the State of Illinois into the State of New York, of a quantity of an article labeled in part, "Strictly Pure Powdered Capsicum," and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Total ash-----	8.91
Nonvolatile ether extract-----	14.00

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that it yielded approximately 14 per cent of nonvolatile extractive, soluble in ether, whereas said Pharmacopœia provides that it should yield not less than 15 per cent of nonvolatile extractive, soluble in ether, and in that it contained approximately 8.91 per cent of ash, whereas said Pharmacopœia provides that it should yield not more than 7 per cent of ash.

On November 10, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7141. Adulteration of gelatin. U. S. * * * v. Consumers Glue Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9742. I. S. No. 8556-p.)

On May 6, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Consumers Glue Co., a corporation, St. Louis, Mo., alleging the shipment by said company, in violation of the Food and Drugs Act, on or about December 1, 1917, and December 22, 1917, from the State of Missouri into the State of Texas, of a quantity of gelatin which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Copper (parts per million)-----	80
Zinc (parts per million)-----	931

Jelly strength of 2 per cent solution: Very weak.

Odor of warm solution: Putrid.

Product contains excessive amounts of copper and zinc and is glue, not gelatin.

Adulteration of the article in the shipment was alleged in the information for the reason that a substance, to wit, glue, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for gelatin, which the article purported to be, and for the further reason that it contained added poisonous and deleterious ingredients, to wit, copper and zinc, which might render the article injurious to health.

On November 17, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7142. Adulteration and misbranding of egg noodles. U. S. * * * v. George A. Lehman & Co. Plea of guilty. Fine, \$50. (F. & D. No. 9780. I. S. Nos. 16158-p, 16415-p, 16423-p.)

On July 30, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George A. Lehman, trading as George A. Lehman & Co., Portland, Ore., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on December 29, 1917, November 19, 1917, and February 17, 1918, from the State of Oregon into the States of Washington and California, of quantities of an article, labeled in part "Mrs. Schiel's Home Made Style Egg Noodles Geo. A. Lehman & Co. Portland, Oregon," which was adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of Dec. 29, 1917.	Shipment of Nov. 19, 1917.	Shipment of Feb. 17, 1918.
Moisture (per cent)-----	9.17	10.20	11.24
Ether extract (per cent)-----	.86	1.31	1.50
Lecithin as P ₂ O ₅ (per cent)-----	.028	.018	.02

The average net weight of 10 packages from the shipment of November 19, 1917, which was labeled "8 ounces net weight when packed," and indistinctly stamped with rubber stamp "6 ounces," was 6.16 ounces.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, an alimentary paste containing little or no egg, was substituted in whole for egg noodles, which the article purported to be.

Misbranding of the article in the shipment of December 29, 1917, and February 17, 1918, was alleged for the reason that the statement, to wit, "Egg Noodles," borne on the box containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was egg noodles, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the

article was egg noodles, whereas, in truth and in fact, it was not, but was an alimentary paste containing little or no egg.

Misbranding of the article in the shipment of November 19, 1917, was alleged for the reason that the statements, to wit, "Egg Noodles" and "8 ounces net weight when packed," not corrected by the statement "6 ounces," indistinctly stamped with rubber stamp, borne on the box containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was egg noodles, and that said boxes contained 8 ounces net weight when packed, and for further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was egg noodles, and that said boxes contained 8 ounces net when packed, whereas, in truth and in fact, it was not egg noodles, but was an alimentary paste containing little or no egg, and said boxes did not contain 8 ounces net when packed, but contained a less amount. Misbranding of the article was alleged for the further reason that it was a food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 4, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL,
Acting Secretary of Agriculture.

7143. Misbranding of Liebig's Diarrhoea Cordial. U. S. * * * v. Parker-Blake Co., Ltd., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 9783. I. S. No. 6124-r.)

On June 16, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Parker-Blake Co., Ltd., a corporation, New Orleans, La., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 3, 1918, from the State of Louisiana into the State of Mississippi, of a quantity of an article, labeled in part "Liebig's Diarrhoea Cordial," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to contain $\frac{1}{6}$ grain of morphine sulphate per fluid ounce and 6.27 per cent of alcohol by volume, and to consist essentially of a solution of morphine sulphate, catechu, tannin, oil of cassia, oil of peppermint, sugar, alcohol, and water.

It was alleged in substance that the article was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a remedy for cholera and dysentery, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that the statement, to wit, "It may be taken with perfect safety by infants while teething," borne on the carton containing the said article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article could be taken with perfect safety by infants while teething without injury to health, whereas, in truth and in fact, said article contained a poisonous ingredient, to wit, morphine sulphate, which could not be administered with perfect safety to infants while teething, or at any time, without injury to health.

On June 16, 1919, the defendant company entered a plea of guilty, and the court imposed a fine of \$10.

E. D. BALL,
Acting Secretary of Agriculture.

7144. Misbranding of Plantation Sarsaparilla, Magic Eye Salve, and "Femenina." U. S. * * * v. Van Vleet-Mansfield Drug Co., a corporation. Plea of guilty. Fine, \$150 and costs. (F. & D. No. 9789. I. S. Nos. 6113-r, 6114-r, 6115-r.)

On July 15, 1919, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Van Vleet-Mansfield Drug Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 20, 1918 (2 shipments), and May 14, 1918, from the State of Tennessee into the States of Alabama and Mississippi, of quantities of articles of drugs, labeled in part "Plantation Sarsaparilla," "Magic Eye Salve," and "Femenina," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the Plantation Sarsaparilla to consist essentially of potassium iodid, alcohol, unidentified plant material, sugar, and water; the Magic Eye Salve to consist of an ointment composed essentially of zinc oxid, benzoic acid, and petrolatum; and the "Femenina" to consist essentially of alcohol, water, sugar, and unidentified material, with indications of valerian.

It was alleged in substance in the information that the Plantation Sarsaparilla was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for chronic rheumatism, cutaneous eruptions, scrofula, pains in the bones and joints, lumbago, glandular swellings of the neck, syphilis or syphilitic symptoms, chronic sore eyes and tetter, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements appearing in the circular accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for cancer, rheumatism, nasal catarrh, chronic ulcers, pimples, blotches, and effective as a treatment, remedy, and cure for stoppage of menses, blood poison, congestion and chills, when, in truth and in fact, it was not.

It was alleged in substance in the information that the Magic Eye Salve was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for sore eyes, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the leaflet accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for all diseases of the eye, including granulated eyelids, both acute and chronic, when, in truth and in fact, it was not.

It was alleged in substance that the "Femenina" was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for diseases peculiar to females, and effective to excite healthy action and restore normal conditions and give tone and strength to the uterine functions, and effective as a treatment, remedy, and cure for such menstrual disturbances as painful menstruation, leucorrhea or whites, suppression, exaggeration, pains in the back and kidneys, disturbed sleep, difficult passing [of] urine, with heat or smarting, irritable temper, palpitation of the heart, and other debilitating disorders peculiar to females, and effective as a treatment, remedy, and cure for complete or partial suppression and excessive menstruation, and difficult and painful menstruations, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that cer-

tain statements included in the booklet accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for making women strong and healthy and giving them full sexual capacity, and effective before delivery to greatly assist the mother to be by producing the normal condition of the generative organs, and effective as a treatment, remedy, and cure for falling of the womb (prolapsus uteri), abundant discharge of the vagina, nausea and bad mouth, sensation of despondency, acute pains in the renal regions, pain in side without apparent causes, dumb pain at the extremity of the backbone, pain while urinating, sensation of weight in the groins, irregular menstruations, timidity, nervousness, and sensations of disquietude, fear of some impending sickness, irritable and contrary temper, flatulency in the lower intestine, pains in the left or right side of the intestines, sensation of annoyance, inflammation of the womb, pains on the breastbone, excessive menstruation, hysterics, pulsations at the temples and in the ears, brief and perturbed slumber, whites, torpid digestion, headache, troubles in the eyesight and hearing, vertigo, morbidness and melancholy, palpitation of the heart, sensibility and weakness of the nerves, loss of appetite, longings, weight and pain in the waist when exercising, difficulty in urinating, habitual constipation, natural tendency to miscarriage, cold extremities, ulceration of the womb and sterility; and when used in connection with Plantation Sarsaparilla with iodid of potassium as a treatment, remedy, and cure for retarded menses; and effective as a treatment, remedy, and cure for inflammation of the ovaries, the critical age, or cessation of the menstrual period, and for tumors of the womb, when, in truth and in fact, it was not.

On September 10, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$150 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7145. Adulteration and misbranding of olive oil. U. S. * * * v. John Courumalis and John Pappaionou (Courumalis & Co.). Pleas of guilty. Fine, \$100. (F. & D. No. 9791. I. S. No. 9775-p.)

On May 12, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Courumalis and John Pappaionou, copartners, trading as Courumalis & Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about November 24, 1918, from the State of New York into the State of Ohio, of a quantity of an article, labeled in part "Finest Quality Olive Oil Extra Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the net volume of the cans to be 3 quarts, 1 pint, and 11.7 fluid ounces, and the Halphen test for cottonseed oil to be positive.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure Termini Imerese Sicilia—Italia, One Gallon Net, Guaranteed Absolutely Pure," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily,

in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid, so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 gallon net of the article, but contained a less amount; and for the further reason, that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured or produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the statements on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 21, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL,
Acting Secretary of Agriculture.

7146. Adulteration and misbranding of olive oil. U. S. * * * v. Guiseppe Crisafulli and Stefano Crisafulli (Crisafulli Bros.). Plea of guilty. Fine, \$25. (F. & D. No. 9794. I. S. No. 14720-r.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Guiseppe Crisafulli and Stefano Crisafulli, copartners, trading as Crisafulli Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on August 24, 1918, from the State of New York into the State of Pennsylvania, of a quantity of an article, labeled in part "La Migliore Brand Extra Fine Olive Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be positive, and the test for corn oil with nitric acid gave a reddish brown coloration.

Adulteration of the article was alleged in the information for the reason that substances, to wit, cottonseed oil and corn oil, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Table Oil, Extra Fine Olive Oil, Net Contents One-quarter Gallon," together with the design and device of olive branches bearing olives, not corrected by the statement in inconspicuous type, "Corn salad oil compound with * * *," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, and that each of

said cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of cottonseed oil and corn oil, and each of said cans did not contain $\frac{1}{4}$ gallon net of the article, but contained a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 23, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,
Acting Secretary of Agriculture.

7147. Adulteration and misbranding of olive oil. U. S. * * * v. Harry Arony and George Papitsas (Arony & Papitsas). Plea of guilty. Fine, \$260. (F. & D. No. 9795. I. S. No. 7511-r.)

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry Arony and George Papitsas, copartners, trading as Arony & Papitsas, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on August 17, 1918, from the State of New York into the State of Illinois, of a quantity of an article, labeled in part "Tipo Lucca Olio Sopraffino Stella d'Oro," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be positive and the net volume of the cans to be 0.483 gallon.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Tipo Lucca Olio Sopraffino, $\frac{1}{2}$ Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{2}$ gallon net of the article, but contained a less amount, and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that the statements borne on the cans purported that the article was a

foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$200.

E. D. BALL,
Acting Secretary of Agriculture.

7148. Adulteration and misbranding of rice. U. S. * * * v. George B. Matthews, George B. Matthews, jr., and Martin L. Matthews (George B. Matthews & Sons). Plea of guilty. Fine, \$10. (F. & D. No. 9796. I. S. No. 15492-p.)

On May 5, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George B. Matthews, George B. Matthews, jr., and Martin L. Matthews, a partnership, trading as George B. Matthews & Sons, New Orleans, La., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about May 9, 1918, from the State of Louisiana into the State of Mississippi, of a quantity of an article, labeled in part "Pure Rice Bran, Manufactured by George B. Matthews & Sons, New Orleans, La.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Moisture	7.44
Ether extract	14.93
Crude fiber	14.57
Crude protein	11.22
Ash	13.79
Acid-insoluble ash	7.10

Results of analysis indicate presence of added rice hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, rice hulls, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for pure rice bran, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Protein 12.50 per cent * * * Fibre 10.00 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and the substances contained therein, was false and misleading in that it represented that the article contained not less than 12.50 per cent of protein and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 12.50 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 12.50 per cent of protein and more than 10 per cent of fiber, to wit, 11.22 per cent of protein and 14.57 per cent of fiber; and for the further reason that the statement, to wit, "Pure Rice Bran," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted exclusively of rice bran, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted exclusively of rice bran, whereas, in truth

and in fact, it did not so consist, but consisted of a mixture composed in part of rice hulls.

On May 23, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL,
Acting Secretary of Agriculture.

7149. Misbranding of dairy feed. U. S. * * * v. Buckeye Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9797. I. S. No. 19953-p.)

On May 1, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Buckeye Cotton Oil Co., a corporation, doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 16, 1918, from the State of Tennessee into the State of Mississippi, of a quantity of an article, labeled in part "Animo Dairy Food Sweet, * * * Manufactured by the Buckeye Cotton Oil Co., Memphis, Tenn.," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Crude fiber-----	19.55
Nitrogen-----	2.10
Ammonia-----	2.55
Protein-----	13.10

Misbranding of the article was alleged for the reason that the statement, to wit, "Protein Minimum 16% * * * Fiber Maximum 19%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 16 per cent of protein and not more than 19 per cent of fiber, and for the reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 16 per cent of protein and not more than 19 per cent of fiber, whereas, in truth and in fact, it contained less than 16 per cent of protein and more than 19 per cent of fiber, to wit, approximately 13.1 per cent of protein, and approximately 19.55 per cent of fiber.

On June 20, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL,
Acting Secretary of Agriculture.

7150. Adulteration of eggs. U. S. * * * v. George G. Westrope and Jesse V. Harper, copartners (Westrope & Harper). Pleas of guilty. Fine, \$10. (F. & D. No. 8028. I. S. No. 10830-m.)

On March 22, 1917, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George G. Westrope and Jesse V. Harper, copartners, trading as Westrope & Harper, Belden, Nebr., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 28, 1916, from the State of Nebraska into the State of Iowa, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 13 cases there were 693 inedible eggs, consisting of 6 black rot eggs, 156 mixed rot eggs, 76 moldy eggs, 28 stuck eggs, 103 black spot rot eggs, 147 heavy blood ring eggs, and 177 red rot eggs, making a total rot content, positively determined by breaking out all rots found, of 14.8 per cent of the shipment.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On November 13, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL,
Acting Secretary of Agriculture.

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 7151-7200.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 24, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

- 7151. Adulteration and misbranding of vinegar. U. S. * * * v. Oscar L. Gregory (O. L. Gregory Vinegar Co.). Plea of nolo contendere. Fine, \$50. (F. & D. No. 9064. I. S. No. 11120-m.)**

On October 15, 1918, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Oscar L. Gregory, trading as the O. L. Gregory Vinegar Co., Paris, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 2, 1917, from the State of Texas into the State of Oklahoma, of a quantity of an article, labeled in part "Arkansaw Pure Apple Vinegar," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 cc. unless otherwise stated:

Alcohol (per cent by volume)	0.96
Glycerol	.34
Solids	3.92
Nonsugar solids	3.12
Reducing sugars as invert after evaporation, after inversion	.80
Ash	.51
Acidity, as acetic	5.28
Fixed acid, as malic	.10

Analysis shows that the product consisted in part of apple waste vinegar and distilled vinegar, or dilute acetic acid.

Adulteration of the article was alleged in the information for the reason that a product prepared from apple waste and distilled vinegar or a dilute solution of acetic acid had been substituted wholly or in part for pure apple vinegar, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Pure Apple Vinegar," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was pure apple vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure apple vinegar, whereas, in truth and in fact, it was not, but was a product prepared from apple waste and distilled vinegar or a dilute solution of acetic acid.

On April 1, 1919, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7152. Adulteration and misbranding of apple cider vinegar. U. S. * * *
v. Albemarle Products Corporation, a corporation. Order of nolo
contendere entered. Fine, \$5. (F. & D. No. 9143. I. S. Nos. 1723-p,
1724-p, 12090-m.)

On September 30, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Albemarle Products Corporation, a corporation, Charlottesville, Va., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on October 2, 1917 (2 shipments), from the State of Virginia into the State of North Carolina, and on October 8, 1917, into the State of Louisiana, of quantities of an article, labeled in part "Apple Cider Vinegar," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 cc., unless otherwise stated:

	Shipment of Oct. 2.	Shipment of Oct. 2.	Shipment of Oct. 8.
Alcohol -----	1.07	1.80	0.21
Glycerol -----	.20	.20	.09
Total solids-----	2.24	2.20	1.99
Nonsugar solids-----	1.65	1.76	1.32
Reducing sugars as invert after evap- oration, before inversion-----	.59	.44	.67
Ash-----	.35	.37	.39
Ash in nonsugar solids (per cent)-----	21.2	21.0	29.5
Acidity, as acetic-----	3.65	3.14	3.75

Sixty out of 65 barrels of the shipment of October 8 gauged less than 48 gallons as labeled.

Adulteration of the article in the shipments on October 2, 1917, was alleged in substance in the information for the reason that a mixture containing excessive alcohol, added mineral matter, and added water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for apple cider vinegar, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Apple Cider Vinegar," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was apple cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was apple cider vinegar, whereas,

in truth and in fact, it was not, but was a product composed in part of a mixture which contained excessive alcohol, added mineral matter, and added water.

Adulteration of the article in the shipment on October 8, 1917, was alleged for the reason that a mixture containing distilled vinegar, an apple pomace product, mineral matter, and water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and for the further reason that a mixture containing distilled vinegar, an apple pomace product, added mineral matter, and an excessive amount of added water had been substituted in part for apple cider vinegar reduced with water, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Apple Cider Vinegar Reduced with Water," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was apple cider vinegar reduced with water, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was apple cider vinegar reduced with water, whereas, in truth and in fact, it was not, but was a product composed in part of a mixture which contained distilled vinegar, an apple pomace product, added mineral matter, and an excessive amount of added water, and for the further reason that the statement, to wit, "48 Gals.," borne on the barrels containing the article, regarding it, was false and misleading in that it represented that each of said barrels contained 48 gallons of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said barrels contained 48 gallons of the article, whereas, in truth and in fact, each of said barrels did not contain 48 gallons of the article, but contained a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 10, 1919, an order of nolo contendere was entered in the case, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

7153. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieta. Plea of guilty. Fine, \$5. (F. & D. No. 9752. I. S. Nos. 18429-r, 18430-r.)

On July 18, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieta, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on June 15, 1918, from the State of New York into the State of Florida, of a quantity of olive oil, in half-gallon and gallon cans, which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Half-gallon cans.	Gallon cans.
Specific gravity at 25°/25° C-----	0.9203	0.9191
Iodin number -----	111.0	114.0
Average net volume of 36 half-gallon cans (gallon) -----	0.45	
Average net volume of 10 gallon cans (gallon) -----		0.92
Halphen test for cottonseed oil on each size: Strongly positive.		

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be. Adulteration of the article was alleged for the further reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation of the article, in that said Pharmacopœia provides that olive oil is a fixed oil obtained from Oleo Europœa, whereas said article was an oil obtained in large part from cotton seed, and in that said Pharmacopœia provides that the specific gravity of olive oil shall be 0.910 to 0.915 at 25°C., whereas the specific gravity of the article was 0.9203 or 0.9191, as the case might be, at 25°C., and in that said Pharmacopœia provides that the iodin number of olive oil shall be not more than 90, whereas said article showed an iodin number of 111.0 or 114.0, as the case might be.

Misbranding of the article was alleged for the reason that the statements, to wit, "This Olive Oil is Guaranteed to be Absolutely Pure and is Made from the Finest Selected Olives Grown on the Italian Riviera, This Virgin Oil is Highly Recommended for Medicinal and Table Use, Vergine, Questo Olio D'Oliva Prodotto Della Riviera Ligure, E Garantito Purissimo, E Insuperabile Sia Per Uso Medicinale Che Per Tavola, First Pressing Cream Olive Oil, Half Gallon Full Measure Guaranteed," or "One Gallon Full Measure Guaranteed," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced on the Italian Riviera, that each of said cans contained $\frac{1}{2}$ gallon or 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced on the Italian Riviera, and that each of said cans contained $\frac{1}{2}$ gallon or 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced on the Italian Riviera, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{2}$ gallon or 1 full gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was produced in that it was a product produced in whole or in part in the United States of America, and was branded as produced on the Italian Riviera; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

7154. Misbranding of evaporated milk. U. S. * * * v. John Wildi Evaporated Milk Co., a corporation. Plea of guilty. Fine, \$30. (F. & D. No. 9754. I. S. No. 6462-p.)

On July 25, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the John Wildi Evaporated Milk Co., a corporation, doing business at New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on May 18, 1918, from the State of New York into the Territory of Porto Rico, of a quantity of an article, labeled in part "Everyday Brand Evaporated Milk, Weight of Contents 6 oz. Avoirdupois * * * The John Wildi Evaporated Milk Co. * * *, which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Average net weight of 36 cans (ounces)-----	5.45
Number of cans over 6 ounces net-----	1
Number of cans under 6 ounces net-----	35

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Weight of Contents 6 oz. Avoirdupois," borne on the labels attached to the cans containing the article, regarding it, was false and misleading in that it represented that the contents of each of said cans weighed 6 ounces of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the contents of each of said cans weighed 6 ounces of the article, whereas, in truth and in fact, the contents of each of said cans did not weigh 6 ounces of the article, but weighed a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 16, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$30.

E. D. BALL, *Acting Secretary of Agriculture.*

7155. Adulteration of cereal flour. U. S. * * * v. 11 Sacks of Cereal Flour. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9758. I. S. No. 2574-r. S. No. W-278.)

On February 19, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 sacks of cereal flour, remaining unsold in the original unbroken packages, at Denver, Colo., alleging that the article had been shipped on or about January 30, 1919, and transported from the State of Utah into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed vegetable and animal substance.

On April 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal either at public or private sale for animal food only.

E. D. BALL, *Acting Secretary of Agriculture.*

7156. Adulteration of condensed skimmed milk. U. S. * * * v. 100 Cases of Condensed Skimmed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9759. I. S. No. 16246-r. S. No. E-1248.)

On February 19, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing 4 dozen cans of condensed skimmed milk, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about September 8, 1917, by P. E. Sharpless Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On March 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7157. Misbranding of olive oil and cottonseed salad oil. U. S. * * * v. 161 Cans of Olive Oil and 59 Cans of Cottonseed Salad Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9761. I. S. Nos. 2566-r, 2567-r, 2570-r. S. No. W-277.)

On or about February 18, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 161 cans of olive oil and 59 cans of cottonseed salad oil, consigned on April 12, 1918, and November 3, 1917, by R. Gerber & Co., Chicago, Ill., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the cans were in package form, and the contents stated in terms of measure, and the measure of the contents was not correctly stated on the outside of the package; that on each and every can the measure of the contents was overstated; that the gallon cans of olive oil were stated to contain "1 Gal. Net," when, in fact, said cans did not contain 1 gallon net, but each and every one of said cans contained less than 1 gallon net, to wit, 3.58 per cent less than a gallon; that the half-gallon cans of olive oil were stated to contain "½ Gal. Net," when, in fact, said cans did not contain ½ gallon net, but each and every one of said cans contained less than a half gallon net, to wit, 5.55 per cent less than a half gallon; that the quart cans of olive oil were stated to contain "Net 1 Full Quart" and "Contents 1 Quart," when, in fact, said cans did not contain 1 quart, but each and every can contained less than a quart; that 20 of said quart cans each contained 5.54 per cent less than a quart, and 48 of said quart cans each contained 2.58 per cent less than a quart; that the gallon cans of cottonseed oil were stated to contain "1 Gal. Net," when, in fact, said cans did not contain 1 gallon net, but each and every one of said cans contained less than 1 gallon, to wit, 4.72 per cent less than a gallon; that the half-gallon cans

of cottonseed oil were stated to contain "½ Gal. Net," when, in fact, said cans did not contain ½ gallon net, but each and every one of said cans contained less than ½ gallon, to wit, 6.49 per cent less than a half gallon; that the quart cans of cottonseed oil were stated to contain "¼ Gal. Net," when, in fact, said cans did not contain ¼ gallon net, but each and every one of said cans contained less than ¼ gallon, to wit, 9.02 per cent less than ¼ gallon.

On March 26, 1919, Jay J. Gerber and Norman J. Gerber, copartners, doing business as R. Gerber & Co., claimants, having admitted that the product was misbranded and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the cost of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the product should not be sold without the measure of the contents being plainly and correctly stated on the outside of each package.

E. D. BALL, *Acting Secretary of Agriculture.*

7158. Misbranding of Rival Herb Tablets. U. S. * * * v. 144 Boxes of Rival Herb Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9762. I. S. No. 5624-r. S. No. C-1073.)

On February 26, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 144 boxes of Rival Herb Tablets, at Chicago, Ill., alleging that the article had been shipped on January 21, 1919, by the Rival Herb Co., Detroit, Mich., and transported from the State of Michigan into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of aloes, podophyllum resins, capsicum, buchu, and plant extractives, in the form of tablets coated with calcium carbonate and sugar.

Misbranding of the article was alleged for the reason that the statement borne on the labels, to wit, "Rival Herb Tablets Chocolate Coated," was false and misleading in that it led the purchaser to believe that the article was chocolate coated, whereas, in truth and in fact, it was not chocolate coated. It was alleged in substance that the article was misbranded for the further reason that certain statements regarding the curative or therapeutic effect of the article, appearing on the carton and in the circular inclosed in the carton, falsely and fraudulently represented the article as a remedy for dyspepsia, liver and kidney disorder, rheumatism, la grippe, stomach trouble, female complaints, lame back, nervous affection, sick headache, eczema, catarrh, all skin and blood diseases, diseases arising from bad blood, inactive stomach, liver or kidneys, derangements of the digestive organs, torpidity of the liver, constipation, weakened action of the kidneys or skin, defective and impure blood supply, loss of nervous energy, and all diseases dependent upon malnutrition, deranged secretion and excretion, bad breath, biliousness, bad circulation, gout, influenza, nervous prostration, neuralgia, neurasthenia, or any other nervous disorder, scrofula, ulcers, glandular swellings, black heads, pimples, salt-rheum, itching and sores, Bright's disease, backache, painful, profuse and suppressed menstruation, bloating and spinal tenderness, pains in the groins and abdomen, congestion and inflammation of the womb and ovaries, etc., for painless childbirth and prompt recovery after delivery, whereas, in truth and in fact, it was not.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7159. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9763. I. S. No. 12682-r. S. No. E-1249.)

On February 19, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information, praying the seizure and condemnation of 462 boxes of oranges, at Boston, Mass., consigned on January 25, 1919, alleging that the article had been shipped by the Fay Fruit Co., Riverside, Cal., and transported from the State of California into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On February 28, 1919, Fred A. Russell, Boston, Mass., claimant, having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the cost of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

7160. Misbranding of Texas Wonder. U. S. * * * v. 36 Packages of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9617. I. S. No. 5622-r. S. No. C-1036.)

On January 21, 1919, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 packages of Texas Wonder, at Burlington, Iowa, alleging that the article had been shipped on or about December 4, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On carton) "The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Gravel. Regulates bladder trouble in children," (in circular) "Louis A. Portner * * * testified he began using The Texas Wonder for stone in the kidneys * * * and tuberculosis of the kidneys * * *. He was still using the medicine with wonderful results and his weight had increased."

Analysis made in the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of oleoresin of copaiba, guaiac, rhubarb, turpentine, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, borne on the carton and included in the circular accompanying the article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

7161. Misbranding of Septicide. U. S. * * * v. Septicide Co., a corporation. Plea of guilty. Fine, \$300. (F. & D. No. 9664. I. S. Nos. 11748-p, 11843-p.)

On August 20, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Septicide Co., a corporation, Milwaukee, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 28, 1918, and June 10, 1918, from the State of Wisconsin into the States of Michigan and Illinois, respectively, of quantities of an article, labeled in part "Septicide," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the preparation consisted essentially of a dilute aqueous solution containing respectively 0.17 gram and 0.26 gram of sulphur dioxid in 100 cc.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles, falsely and fraudulently represented it as a preventive, treatment, remedy, and cure for old sores, scald head, sore nipples, milk leg, erysipelas, scrofula, face eruptions, eczema, and all skin diseases, cancer, wounds, burns and bruises, sore eyes, catarrh of the head, dyspepsia, catarrh of stomach, disorders of digestion, leucorrhœa, hemorrhoids, diphtheria, croup, bronchitis, coughs, quinsy and all throat diseases, la grippe and colds, diarrhoea, colic, dysentery or cholera morbus, and poison by ivy, diseases of the mouth, canker, dandruff and falling out of hair, when, in truth and in fact, it was not.

On November 7, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$300.

E. D. BALL, *Acting Secretary of Agriculture.*

7162. Adulteration and misbranding of olive oil. U. S. * * * v. 16 Cases, 192 Gallons, and 108 Gallons of Olive Oil. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9690, 9699, 9700. I. S. Nos. 14943-r, 13833-r, 13828-r, 13829-r, 13830-r. S. Nos. E-1238, E-1242, E-1240.)

On February 6, 1919, and February 11, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 16 cases, 192 gallons, and 108 gallons of olive oil, consigned by A. Dimino, New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Bangor, and Allentown, Pa., alleging that the article had been shipped on or about January 27, 1919, and February 5, 1919, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article in the 2 shipments on January 27, 1919, was labeled in part, "Finest Quality Olive Oil Extra Pure of Termini-Imerese

Sicilia Italia One Gallon Net Guaranteed Absolutely Pure." The article in the shipment on February 5, 1919, was labeled in part, "Vergine. This olive oil is guaranteed to be absolutely pure and is made from the finest selected olives grown on the Italian Riviera * * *," or "Qualite Superiore Puro Tripolitania (picture of Italy and Tripoli, also woman with Italian flag)," or "Finest Quality Olive Oil Extra Pure of Termini-Imerese Italy Sicilia Italia * * * (picture of olive tree)."

Adulteration of the article in one of the shipments on January 27, 1919, was alleged in one of the libels for the reason that a mixture of oils containing little or no olive oil had been mixed and packed therewith and substituted wholly or in part for the article.

Adulteration of the article in the other shipments was alleged for the reason that it purported to be pure olive oil produced in Italy, when, in fact, it consisted wholly or in part of cottonseed oil which had been substituted for olive oil.

Misbranding of the article in one of the shipments on January 27, 1919, was alleged in substance for the reason that the retail packages in which the product was inclosed contained labels which bore certain statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; for the further reason that said article purported to be a foreign product, when not so, and was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that the product was seriously short volumed.

Misbranding of the article in the other shipment on January 27, 1919, was alleged in substance for the reason that the retail packages in which the product was inclosed contained labels which bore certain statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; for the further reason that said article purported to be olive oil, when, as a matter of fact, it consisted largely or wholly of cottonseed oil; for the further reason that it purported to be a foreign product, when not so; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that it was falsely branded as to the country in which it was produced.

Misbranding of the article in the other shipment was alleged in substance for the reason that the retail packages in which the product was inclosed contained labels which bore certain statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading in that they indicated to the purchaser that the packages contained olive oil, when, in fact, they did not; for the further reason that said article purported to be olive oil, when, as a matter of fact, it consisted largely or wholly of cottonseed oil; for the further reason that it purported to be a foreign product, when not so; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; for the further reason that it was falsely branded as to the country in which it was produced; and for the further reason that the portion of the product labeled "Vergine Olive Oil" was sold under a name recognized in the United States Pharmacopœia and differed from the standard prescribed by that authority, and its own standard was not stated upon the label.

On February 18, 1919, Salvatore Giaprone, of Philadelphia, Bangor, and Allentown, Pa., claimant, having filed a claim for the property, judgment of

condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7163. Adulteration of Chili peppers. U. S. * * * v. 73 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9695, 9696. I. S. Nos. 6298-r, 6296-r, 6297-r. S. Nos. C-1063, C-1064.)

On February 13, 1919, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 73 sacks of Chili peppers, at Austin, Tex., alleging that the article had been shipped on or about January 6, 1919, by the Simon Levi Co., Los Angeles, Cal., and transported from the State of California into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On June 20, 1919, the Walker Properties Association, Austin, Tex., claimant, having filed a claim for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the good portion should be released to said claimant, and the unfit portion released should be used in the preparation of animal and chicken feed only.

E. D. BALL, *Acting Secretary of Agriculture.*

7164. Misbranding of dairy feed. U. S. * * * v. International Sugar Feed No. Two Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9798. I. S. No. 15491-p.)

On May 30, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the International Sugar Feed No. Two Co., a corporation, doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 18, 1918, from the State of Tennessee into the State of Mississippi, of a quantity of an article, labeled in part "International Jewel Dairy Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Moisture -----	10.88
Crude fiber -----	21.04

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Fibre 15%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not more than 15 per cent of fiber, and for the further reason that it

was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than 15 per cent of fiber, whereas, in truth and in fact, it contained more than 15 per cent of fiber, to wit, approximately 21.04 per cent of fiber.

On June 27, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7165. Adulteration of eggs. U. S. * * * v. William J. Benjamin and Fred L. Gillet (Benjamin & Gillet). Nolle prosequi entered as to William J. Benjamin. Plea of guilty by Fred L. Gillet. Fine, \$25 and costs. (F. & D. No. 9807. I. S. No. 5553-r.)

On May 21, 1919, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William J. Benjamin and Fred L. Gillet, a partnership, trading as Benjamin & Gillet, Colome, S. D., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 7, 1918, from the State of South Dakota into the State of Nebraska, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 3 cases there were 75 inedible eggs, or 6.9 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 26, 1919, a nolle prosequi was entered as to William J. Benjamin, and on the same date Fred L. Gillet entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7166. Adulteration and misbranding of lemon extract. U. S. * * * v. Sara W. Lupton, Marvin C. K. Lupton, and Stonewall J. Yeatman (Razo Mfg. Co.). Collateral of \$50 forfeited. (F. & D. No. 9812. I. S. No. 15628-r.)

On July 14, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Sara W. Lupton, Marvin C. K. Lupton, and Stonewall J. Yeatman, copartners, trading as the Razo Mfg. Co., Washington, D. C., alleging that said defendants did offer for sale and sell, at the District aforesaid, in violation of the Food and Drugs Act, as amended, on October 9, 1918, a quantity of an article, labeled in part "Razo Lemon Extract * * * manufactured only by Razo Mfg. Co., Washington, D. C.", which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Alcohol by volume-----	68.4
Lemon oil-----	2.1
Citral-----	0.09

Artificially colored with tartrazine.

Produce is a diluted extract, artificially colored, and deficient in lemon oil.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a diluted lemon extract artificially colored, had been substituted in whole for lemon extract, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Lemon Extract," borne on the label attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that it was true lemon extract, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was true lemon extract, whereas, in truth and in fact, it was not true lemon extract, but was a diluted lemon extract artificially colored, and for the further reason that it was a diluted lemon extract artificially colored prepared in imitation of true lemon extract, and was offered for sale and sold under the distinctive name of another article, to wit, lemon extract. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 14, 1919, the defendants having failed to appear, the \$50 collateral that had theretofore been deposited to insure their appearance was forfeited by order of the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7167. Misbranding of Pure Sugar. U. S. * * * v. William T. Bailey, Frederick O. Bailey, and J. Royal Bailey (Marshalltown Syrup & Sugar Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 9820. I. S. No. 16341-p.)

On July 28, 1919, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William T. Bailey, Frederick O. Bailey, and J. Royal Bailey, a partnership, trading as the Marshalltown Syrup & Sugar Co., Marshalltown, Iowa, alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about October 27, 1917, from the State of Iowa into the State of Utah, of a quantity of an article, labeled in part "Dickinson Brand Pure Sugar, put up by Marshalltown Syrup & Sugar Co., Marshalltown, Iowa," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that 12 packages had an average net weight of 14.8 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Weight About 1 Pound," borne on the label attached to the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the weight of the article was 1 pound, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the weight of the article was 1 pound, whereas, in truth and in fact, the weight of the article was not 1 pound, but was a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 10, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7168. Adulteration of table syrup. U. S. * * * v. American Syrup & Preserving Co., a corporation. Plea of guilty as to first count of information charging adulteration. Fine, \$25 and costs. Remaining counts dismissed. (F. & D. No. 9821. I. S. Nos. 8938-p, 9608-p, 12123-p, 12127-p.)

On September 9, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the American Syrup & Preserving Co., a corporation, doing business at St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 11, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "White Daisy Brand Table Syrup," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Can No. 1.	Can No. 2.	Can No. 3.
Sucrose (per cent)-----	0.46	0.46	0.15
Commercial glucose (polarization, 175°) (per cent) -----	91.	88.3	92.4

Adulteration of the article was alleged in the information for the reason that a mixture which contained little or no granulated sugar sirup had been substituted for a sirup which contained 10 per cent granulated sugar sirup, which the article purported to be.

On October 28, 1919, the defendant company entered a plea of guilty to the first count of the information, charging adulteration, and the court imposed a fine of \$25 and costs, and the remaining counts of the information were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7169. Adulteration and misbranding of olive oil. U. S. * * * v. 2 Cases * * * of Alleged Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9826. I. S. No. 12368-r. S. No. C-1086.)

On March 3, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cases, 1 containing 12 1-gallon cans, and 1 containing 24 half-gallon cans of alleged olive oil, at Cleveland, O., alleging that the article had been shipped on or about January 20, 1919, by D. Spiropulos and J. Theodore, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil Insuperabile (picture of olive tree and natives gathering and packing olives)."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding of the article was alleged for the reason that the statements, designs, and devices, borne upon the label thereof, not corrected by the statement in inconspicuous type, "Cottonseed Oil Slightly Flavored with Olive Oil," were false and misleading, and deceived and misled the purchaser in that they conveyed the impression that the article was olive oil,

when it was not; for the further reason that it was imitation of, and was offered for sale under the distinctive name of, another article; for the further reason that it purported to be a foreign product, when not so, and in being labeled "Net Contents One Gallon," and "Net Contents One-half Gallon," respectively, whereas examination showed an average shortage in volume of 4.3 and 0.6 per cent, respectively; and for the further reason that it was food in package form, and the quantity of the contents was not declared.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal in the manner and form provided by law.

E. D. BALL, *Acting Secretary of Agriculture.*

7170. Adulteration and misbranding of vinegar. U. S. * * * v. 43 Cases, 18 Half-barrels, and 42 Cases of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9827. I. S. Nos. 16275-r, 16276-r, 16277-r. S. No. E-1254.)

On March 5, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 43 cases, each containing 2 dozen packages, 18 half-barrels, and 42 cases, each containing 1 dozen packages of so-called apple cider vinegar, remaining unsold in the original unbroken packages, at Rome, Ga., alleging that the article had been shipped on or about September 3, 1918, by the Republic Preserving Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, respectively, "Blue Jay Brand Pure Apple Cider Vinegar," "Apple Cider Vinegar 40 grain strength," and "Dawson Brand Pure Apple Cider Vinegar Reduced to 4 % acetic strength."

Adulteration of the article was alleged in the libel for the reason that dilute acetic acid, or distilled vinegar, and water colored with caramel, had been mixed and packed with, and substituted wholly for, cider vinegar, and for the further reason that it had been colored with caramel in a manner whereby its impurity [inferiority] to cider vinegar was concealed.

Misbranding of the article was alleged for the reason that the statements borne on the labels, regarding the article, to wit, "Pure Apple Cider Vinegar," "Apple Cider Vinegar 40 grain strength," and "Pure Apple Cider Vinegar Reduced to 4% acetic strength," were false and misleading and deceived the purchaser and produced in his mind the belief that the product was pure apple cider vinegar, or apple cider vinegar, 40 grain strength, or pure apple cider vinegar reduced to 4 per cent acetic strength, whereas, in fact, it was not, and for the further reason in substance that it was offered for sale under the distinctive name of another article, to wit, pure apple cider vinegar, or apple cider vinegar, 40 grain strength, or pure apple cider vinegar reduced to 4 per cent acetic strength.

On June 13, 1919, the McWilliams Feed and Grocery Co., Rome, Ga., claimant, having admitted the truth of the allegations contained in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, con-

ditioned in part that the product should be relabeled as imitation vinegar, and should be fortified with distilled vinegar to a strength of at least 4 grams per 100 cc.

E. D. BALL, *Acting Secretary of Agriculture.*

7171. Misbranding of cheese. U. S. * * * v. 13 Cartons of Cheese. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9948. I. S. Nos. 7073-r, 7074-r, 7075-r, 7851-r. S. No. C-1129.)

On March 26, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 cartons of cheese, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about February 24, 1919, by J. L. Kraft & Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was variously labeled, "Elkhorn Swiss Cheese," "Elkhorn Roquefort American Cheese," "Elkhorn Kraft Cheese—Pimento Flavor," and "Elkhorn Kraft Cheese—American Cheddar," and in each case, "J. L. Kraft & Bros. Co., Chicago-New York."

Misbranding of the article was alleged in the libel for the reason that the labels on the cans containing the article bore the statement that each can contained $\frac{1}{4}$ pound of cheese, which was false and misleading, inasmuch as the contents of the tin cans were materially less than that amount, averaging [in percentage] from 4.75 per cent to 7.25 per cent shortage in weight, and for the further reason that the statement, to wit, "Contents One-quarter Pound," deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages and upon each can in terms of weight, since the amount stated was not a correct statement of the quantity of food contained in each package or can, and that said contents contained a substantially smaller quantity and weight of food than was stated on each package or can.

On May 10, 1919, the said J. L. Kraft & Bros. Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7172. Adulteration of oranges. U. S. * * * v. 637 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9923. I. S. No. 13413-r. S. No. E-1271.)

On March 19, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 637 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about March 6, 1919, by the Sparr Fruit Co., Corona, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance, namely, frozen oranges, unfit for food.

On April 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7173. Adulteration of Chili peppers. U. S. * * * v. 1 Bale of Chili Peppers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9926. I. S. No. 6757-r. S. No. C-1118.)

On March 21, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 bale, containing 190 pounds of Chili peppers, at Chicago, Ill., alleging that the article had been shipped on February 10, 1919, by Swift & Co., South St. Joseph, Mo., and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a filthy vegetable substance, and for the further reason that it consisted in part of a filthy animal substance, and for the further reason that it consisted in part of a putrid animal substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7174. Adulteration and misbranding of Ergot Apiol Compound. U. S. * * * v. 66 Boxes of Ergot Apiol Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9929. I. S. No. 6175-r. S. No. C-1117.)

On March 24, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 66 boxes, each containing 2 dozen soluble elastic capsules, Ergot Apiol Compound, at Cleveland, O., alleging that the article had been shipped on or about July 1, 1918, by the Evans Drug Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Soluble Elastic Capsules Ergot Apiol Compound."

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold, and in that it did not contain the quantities of the drug named on the label, and further in that the article had been diluted by the addition of cottonseed oil, being labeled in part, "Capsules Ergot Apiol Compound. Apiol 5 min., Oil Savin $\frac{1}{2}$ Min., Ergotin 1 gr., Aloin $\frac{1}{2}$ gr." whereas examination showed

18.2 per cent shortage, calculated on the basis of 6 capsules of 5½ min., and 25.6 per cent shortage, calculated on the same basis, of 50 additional capsules of 5½ min., and analysis showed that the product was composed of at least 50 per cent cottonseed oil and resins from apiole and oil savin.

Misbranding of the article was alleged for the reason that the label was false and misleading in that the capsules purported to contain the amount of the drug compound indicated on the label, whereas they contained a less[er] amount, and for the further reason that it purported to be composed of the drugs indicated on the label, whereas it had been diluted by the addition of cottonseed oil. Misbranding of the article was alleged in substance for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Ergot Apiole Compound."

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7175. Adulteration of oranges. U. S. * * * v. 392 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9932. I. S. Nos. 13421-r, 13422-r. S. No. E-1274.)

On March 22, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 392 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about March 6, 1919, by the California Fruit Growers Exchange, Upland, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On April 4, 1919, Owen G. Butts, Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7176. Misbranding of cheese. U. S. * * * v. 20 Cartons of Cheese. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9941. I. S. Nos. 7068-r, 7069-r, 7070-r, 7071-r, 7072-r. S. No. C-1119.)

On March 25, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cartons of cheese, consigned on or about March 4, 1919, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the J. L. Kraft & Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was variously labeled "Elkhorn Swiss Cheese," "Elkhorn Roquefort American Cheese," "Elkhorn Kraft Cheese—Chile flavor," "Elkhorn Kraft

Cheese—Pimento Flavor," and "Elkhorn Kraft Cheese," and in each case "J. L. Kraft & Bros. Co., Chicago-New York."

Misbranding of the article was alleged for the reason that the labels borne on the cans containing the article represented that each can contained $\frac{1}{2}$ pound of cheese, which was false and misleading, inasmuch as the contents of each can was less than that amount, averaging in percentage from 6 per cent to 11.5 per cent shortage in weight; and for the further reason that the statement, to wit, "Contents one-quarter pound," deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages and upon each can in terms of weight, since the amount stated was not a correct statement of the quantity of food contained in each package or tin can.

On May 10, 1919, the said J. L. Kraft & Bros. Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7177. Adulteration and misbranding of Balsam Copaiaba, Salol Compound, and Methylene Blue Compound. U. S. * * * v. 69 Boxes of Balsam Copaiaba, Salol Compound, and Methylene Blue Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9942. I. S. Nos. 6192-r, 6195-r, 6196-r. S. No. C-1116.)

On March 27, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 69 boxes of capsules, 8 of which contained balsam copaiba, 5 of which contained methylene blue compound, and 56 of which contained salol compound, at Cleveland, O., alleging that the articles had been shipped on or about January 15, 1918, and February 13, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The capsules of Balsam Copaiaba were labeled in part, "Copaiba 10 min.," the capsules of Methylene Blue Compound were labeled in part, "Oil Santal 1½ min., Copaiaba Para 1½ min., Oil Cinnamon 1½ min., Methylene Blue 1 gr." and the capsules of Salol Compound were labeled in part, "Balsam Copaiaba 10 min., Oleoresin Cubeb 5 min., Salol 3½ gr., Pepsin Aseptic (1:3000) 1 gr."

Analyses of samples of the three articles made by the Bureau of Chemistry of this department showed that the capsules marked "Copaiba 10 min." were deficient in quantity of contents an average of 13.2 per cent and 23.2 per cent in two representative series of capsules, and that the contents consisted of approximately 50 per cent cottonseed oil; that the capsules marked "Methylene Blue Compound" were deficient in quantity of contents an average of 25.3 per cent and 28.7 per cent in two representative series of capsules, and that the contents consisted of approximately 50 per cent cottonseed oil; and that the capsules labeled "Salol Compound" consisted of a mixture containing 50 per cent to 60 per cent cottonseed oil.

Adulteration of the 8 boxes of Balsam Copaiaba was alleged in the libel for the reason that it was sold under and by a name recognized by the United States Pharmacopœia and differed from the standard of strength, quality, and

purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

Adulteration of the 5 boxes of Methylene Blue Compound and 56 boxes of Salol Compound was alleged for the reason that their strength and purity fell below the professed standard and quality under which they were sold.

Misbranding of the articles was alleged for the reason that the statements, to wit, “* * * Capsules (Copaiba) 10 Min.,” “* * * Capsules Meythylene Blue Compound * * * Oil Santal 1½ Min., Copaiba Para 1½ Min., Oil Cinnamon 1½ Min., Methylene Blue 1 Gr., and “* * * Capsules Salol Compound, Balsam Copaiba 10 min., Oleoresin Cubeb 5 min., Salol 3½ gr., Pepsin Aseptic (1:3000) 1 gr.,” were false and misleading in that they represented that a portion of the capsules consisted of copaiba, whereas examination of samples of the article showed that it consisted of copaiba and approximately 50 per cent cottonseed oil; and for the further reason that the statements represented that a portion of the capsules consisted of methylene blue compound, whereas examination of samples showed that the product consisted of small amounts of resins from copaiba and other oils, of methylene blue and approximately 50 per cent of cottonseed oil; and for the further reason that the statement represented that the remaining portion of the capsules consisted of salol compound, whereas examination of samples showed that the product consisted of copaiba, cubeb, salol, and pepsin, and from 50 to 60 per cent cottonseed oil; and for the further reason that it was an imitation of, and was offered for sale under the name of, another article.

Misbranding of the capsules of Balsam Copaiba and Methylene Blue Compound was alleged for the reason that the statements regarding the contents were false and misleading in that there was a shortage in volume, ranging from 13.2 to 23.2 per cent and 25.3 to 28.7 per cent, respectively, in representative series of individual capsules.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7178. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9943. I. S. Nos. 13423-r, 13424-r. S. No. E-1275.)

On March 22, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about March 8, 1919, by the Sparr Fruit Co., La Manda Park, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On April 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7179. Adulteration and misbranding of salad oil. U. S. * * * v. 94 Quarts of Salad Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9944. I. S. No. 12369-r. S. No. C-1125.)

On March 27, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 94 quarts of salad oil, at Cleveland, O., alleging that the article had been shipped on or about October 7, 1918, by Crisafulli Bros., New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil."

Adulteration of the article was alleged in the libel for the reason that cotton-seed oil had been mixed and packed with, and substituted wholly or in part for, olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, designs, and devices, borne on the labels of the cans, were false and misleading, and deceived and misled the purchaser in that they conveyed the impression that the article was olive oil, when not so; and for the further reason that it purported to be a foreign product, when not so, and in being labeled "Net Contents One-quarter Gallon," whereas examination showed a shortage in volume of 1.56 per cent. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not declared.

On June 30, 1919, no claimants having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7180. Misbranding of pears, apples, and cucumbers. U. S. * * * v. Charles A. Hill and Leon J. Hill (C. A. Hill & Son). Plea of guilty by Charles A. Hill. Fine, \$70. Nolle prosequi entered as to Leon J. Hill. (F. & D. No. 9964. I. S. Nos. 5821-r, 5822-r, 5823-r, 5824-r, 5825-r, 5826-r, 5827-r.)

On July 31, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles A. Hill and Leon J. Hill, a partnership, trading as C. A. Hill & Son, Benton Harbor, Mich., alleging shipment by said defendants from the State of Michigan into the State of Illinois, in violation of the Food and Drugs Act, as amended, on September 6, 1918, September 9, 1918, and September 13, 1918, of a quantity of pears, and on September 9, 1918, and September 12, 1918, of quantities of apples and cucumbers, respectively, which were misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed that none of the baskets containing the articles were labeled as to quantity of the contents.

Misbranding of the article in each shipment was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 14, 1919, the defendant Charles A. Hill entered a plea of guilty to the information, and the court imposed a fine of \$70. Nolle prosequi was entered as to Leon J. Hill.

E. D. BALL, *Acting Secretary of Agriculture.*

7181. Misbranding of grapes. U. S. * * * v. Fruit Growers and Shippers Union, a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9965. I. S. Nos. 6387-r, 6388-r.)

On July 18, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fruit Growers and Shippers Union, a corporation, Nauvoo, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about September 17, 1918 (2 shipments), from the State of Illinois into the State of Missouri, of a quantity of grapes which were misbranded. In one of the shipments the baskets were labeled in part, "Not less than 5½ lbs. net."

Examination of samples of the article in one of the shipments showed that none of the baskets bore statements as to the quantity of the contents thereof. The average shortage in net weight of the baskets in the other shipment was 10.6 per cent of the declared weight.

Misbranding of the article in each shipment was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding of the article in one of the shipments was alleged for the further reason that the statement, to wit, "5½ lbs. net," borne on the baskets containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said baskets contained 5½ pounds of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said baskets contained 5½ pounds of the article, whereas, in truth and in fact, said baskets did not contain 5½ pounds of the article, but contained a less amount.

On September 9, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7182. Misbranding of tomatoes. U. S. * * * v. Wade H. Insley and Edward D. Mitchell (Insley & Mitchell). Pleas of guilty. Fine, \$30 and costs. (F. & D. No. 9970. I. S. Nos. 15191-p, 19227-p.)

On August 14, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Wade H. Insley and Edward D. Mitchell, a partnership, trading as Insley & Mitchell, Salisbury, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 24, 1917, from the State of Maryland into the State of Iowa, of a quantity of an article, labeled in part "Green Hill Brand Tomatoes Packed by Insley & Mitchell Co., Salisbury, Md., Contents 6 pounds 7 ounces," which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed the product to be short weight.

Misbranding of the article in each shipment was alleged in the information for the reason that the statement, to wit, "Contents 6 Pounds 7 Ounces," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of said cans contained 6 pounds and 7 ounces of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 6 pounds and 7 ounces of the article, whereas, in truth and in fact, each of said cans did not contain 6 pounds and 7 ounces of the article, but contained a less amount. Mis-

branding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 14, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$30 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7183. Adulteration of shell eggs. U. S. * * * v. Edward C. Grady. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9971. I. S. No. 11845-p.)

On August 13, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward C. Grady, Grundy Center, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 14, 1918, from the State of Iowa into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 4 cases there were 184 inedible eggs, or 25.6 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On October 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7184. Adulteration of shell eggs. U. S. * * * v. Viking Sjostrom (Sjostrom Bros.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9972. I. S. No. 11757-p.)

On August 14, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Viking Sjostrom, trading as Sjostrom Bros., Le Mars, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 18, 1918, from the State of Iowa into the State of Illinois, of a quantity of eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 5 half cases there were 138 inedible eggs, or 15.3 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 21, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7185. Misbranding of Dr. George Hollabush's Cure for Abortion. U. S. * * * v. George Hollabush. Plea of guilty. Fine, \$100 and costs. (F & D. No. 9976. I. S. No. 12652-p.)

On July 18, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George

Hollabush, Fort Atkinson, Wis., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 13, 1918, from the State of Wisconsin into the State of South Dakota, of a quantity of an article, labeled in part "Dr. George Hollabush's Cure for Abortion," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist of a gray coarsely ground mixture containing chiefly sulphur, iron sulphate, saltpetre, oil meal, and a strychnine-bearing drug, probably nux vomica.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the packages falsely and fraudulently represented it as a cure for abortion in cows and mares, as a genuine cure for abortion in cows and mares, and as a preventive of abortion, and as a cure for barrenness in cows and mares, when, in truth and in fact, it was not.

On August 2, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7186. Misbranding of corn salad oil. U. S. * * * v. 19 Cans of Corn Salad Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9979. I. S. No. 12371-r. S. No. C-1134.)

On March 28, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 cans of corn salad oil, at Cleveland, O., alleging that the article had been shipped on or about November 5, 1918, by Crisafulli Bros., New York, N. Y., and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil * * * Corn Salad Oil Compound (in inconspicuous type), Olive Oil (in large type) (picture of olive tree and branch with olives thereon) * * *."

Misbranding of the article was alleged in the libel for the reason that the statements on the label, together with the pictorial designs and devices, were false and misleading and deceived and misled the purchaser in that they conveyed the impression that the article was olive oil, when not so, and for the further reason that the product consisted almost entirely of corn oil, although taste and odor indicated the possible presence of a very small amount of olive oil. Misbranding of the article was alleged for the further reason that it purported to be a foreign product, when not so, and further in being labeled "Net Contents Half Gallon," whereas examination showed a shortage of 3.28 per cent. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not declared.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7187. Misbranding of cheese. U. S. * * * v. 157½ Dozen Tins of Cheese. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9980. I. S. Nos. 6410-r, 6411-r, 6412-r, 6413-r, 6414-r, 6415-r, 6416-r. S. No. C-1133.)

On March 31, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 157½ dozen tins of cheese, consigned on November 14, 1918, by J. L. Kraft & Bros. Co., Chicago, Ill., remaining unsold in the original unbroken packages at Cincinnati, O., alleging that the article had been shipped and transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The various brands of cheese in the consignment were labeled in part, "One-quarter pound."

Misbranding of the article was alleged in the libel for the reason that the statements borne on the labels were false and misleading and deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not declared plainly and conspicuously.

On May 28, 1919, the said J. L. Kraft & Bros. Co., claimant, having admitted the facts set forth in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7188. Misbranding of Wilson's Solution Anti-Flu. U. S. * * * v. 900 Dozen Bottles of Wilson's Solution Anti-Flu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9984. I. S. No. 6347-r. S. No. C-1136.)

On April 3, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 dozen bottles of Wilson's Solution Anti-Flu, at Chicago, Ill., alleging that the article had been shipped on November 9, 1918, by the Cooper Medicine Co., Cincinnati, O., and transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Wilson's Solution Anti-Flu A Powerful Antiseptic to be used as a preventive against Influenza, Colds and Grip. G. F. Willis Co., Atlanta, Ga. Distributor."

Analysis of a sample of the article made by the Bureau of Chemistry of this department showed it to consist essentially of oil of eucalyptus, methyl salicylate, and a small amount of thymol, or oil of thyme.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative or therapeutic effect thereof, appearing on the label of the bottle, carton, and circular accompanying the article, to wit, "Wilson's Solution Anti-Flu A Powerful Antiseptic to be used as a preventive against Influenza, Colds and Grip. A few drops inhaled from handkerchief disinfects nose and throat. * * * To make spraying solution for nose and throat add 10 drops Wilson's Solution to one tablespoonful olive oil. For Sore Throat and Soreness in the chest make rubbing ointment by mixing one-half teaspoonful with tablespoonful of vaseline," were false

and fraudulent in that they were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of such purchasers, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents or combination of ingredients, effective, among other things, as a remedy for influenza, colds and gripe, when used alone or in combination with vaseline or olive oil, whereas, in truth and in fact, the article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents or a combination of ingredients, effective, among other things, as a remedy for influenza, colds, and gripe.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7189. Misbranding of sauerkraut. U. S. * * * v. 900 Cases of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9985. I. S. No. 12370-r. S. No. C-1120.)

On April 1, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 900 cases of sauerkraut, at Cleveland, O., alleging that the article had been shipped on or about September 7, 1918, by Cooke Shanawolf Co., Baltimore, Md., and transported from the State of Maryland into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Highland Square Brand Sauerkraut."

Adulteration of the article was alleged in the libel for the reason that liquor in excess of that contained in commercial sauerkraut had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding of the article was alleged for the reason that the statement "Sauerkraut" was false and misleading, and deceived and misled the purchaser by representing that the article consisted of commercial sauerkraut, whereas it consisted of sauerkraut and liquor in excess of the amount present in commercial sauerkraut.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

On July 9, 1919, it appearing to the court that the sauerkraut was in such condition that it had become unfit for food for man or beast, and there being no other purpose for which it could be sold, it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7190. Adulteration of gelatin. U. S. * * * v. 3 Barrels of Gelatin. Default decree of condemnation, forfeiture, and destruction. Empty containers ordered sold. (F. & D. No. 9829. I. S. No. 5682-r. S. No. C-1087.)

On March 4, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 3 barrels of gelatin, consigned on or about August 15, 1918, by W. B. Wood Mfg. Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Sioux City, Iowa, alleging that the article had been shipped and transported from the State of Missouri into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that analysis of the product showed the presence of arsenic, copper, and zinc in improper proportions, and the solution when warm had a glue odor, the glue containing excessive amounts of copper, and zinc had been mixed and packed therewith and substituted wholly or in part for gelatin, which the article purported to be, and for the further reason that the article was adulterated in that it contained added poisonous and deleterious ingredients, to wit, arsenic, copper, and zinc, which might render the article injurious to health.

On May 29, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and the empty containers sold.

E. D. BALL, *Acting Secretary of Agriculture.*

7191. Adulteration of rice feed. U. S. * * * v. 700 Sacks of * * * Rice Feed. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9831. I. S. No. 2016-r. S. No. W-284.)

On March 3, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 700 sacks of rice feed, consigned on February 13, 1919, by the Globe Grain & Milling Co., San Francisco, Cal., remaining unsold in the original unbroken packages, at Seattle, Wash., alleging that the article had been shipped and transported from the State of California into the State of Washington, charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a product consisting of ground rice hulls had been mixed and packed with, and had been substituted wholly or in part for, rice feed, which the article purported to be.

On March 20, 1919, the said Globe Grain & Milling Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be relabeled as rice hulls and bran, 50 per cent hulls.

E. D. BALL, *Acting Secretary of Agriculture.*

7192. Adulteration and misbranding of castor oil. U. S. * * * v. 4½ Gross Capsules of Castor Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9832. I. S. Nos. 6183-r, 6184-r, S. No. C-1094.)

On March 6, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4½ gross capsules of castor oil at Cleveland, O., alleging that

the article had been shipped on or about December 9, 1918, and December 21, 1918, by the Evans Drug Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The boxes containing the alleged capsules of castor oil were labeled in part, "12 Elastic Filled Capsules Castor Oil 2½ grams" and "6 Elastic Filled Capsules Castor Oil 2½ grams."

Analysis of samples of the article made in the Bureau of Chemistry of this department showed a shortage in quantity of the contents varying from 15.6 per cent to 22.4 per cent, and from 6.8 per cent to 12.8 per cent for the respective lots, and that the contents consisted of a mixture of castor oil and cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by tests therein laid down.

Misbranding of the article was alleged for the reason that the statements borne on the labels were false and misleading in that they represented that the capsules contained castor oil, and that each capsule contained 2½ grams thereof, whereas the capsules contained a mixture of castor oil and cottonseed oil, and the contents showed an average shortage of 15.6 to 22.4 per cent and 6.8 to 12.8 per cent, respectively, in net weight of liquid contents. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, castor oil.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7193. Adulteration and misbranding of evaporated milk. U. S. * * * v.
14 Cases of Evaporated Milk. Default decree of condemnation,
forfeiture, and sale. (F. & D. No. 9836. I. S. No. 2355-r. S. No. W-285.)**

On March 7, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 cases, each containing 48 cans of evaporated milk, remaining unsold in the original unbroken packages at Vancouver, Wash., alleging that the article had been shipped on January 9, 1919, and January 14, 1919, from Portland, Oreg., and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Holly Brand Condensed Milk, Holly Condensed Milk Co., Amity, Oregon."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, partially evaporated milk, low in total solids, had been mixed and packed with, and substituted wholly or in part for, evaporated milk products, so as to reduce and injuriously affect the quality and strength of the article.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, condensed milk, and that the statement borne on the labels, to wit, "Condensed Milk," was false and misleading and deceived and misled the pur-

chaser into the belief that the article was condensed milk, whereas, in truth and in fact, it was partially evaporated milk. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of the packages was not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or numerical count.

On May 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7194. Adulteration and misbranding of Orange Joog [Jooj]. U. S. * * * v. 5 Barrels of Orange Joog [Jooj]. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9840. I. S. No. 6142-r. S. No. C-1096.)

On March 10, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of Orange Joog [Jooj], remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about November 5, 1918, by the Orange Julep Co., St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that a product composed of sugar, glucose, water, flavor, and artificial color had been substituted wholly or in part for orange juice sirup, and for the further reason that it was artificially colored in a manner whereby its inferiority was concealed, and for the further reason that it contained an added deleterious ingredient, to wit, salicylic acid, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that the statements borne on the labels on the barrels, together with the pictorial designs thereon, were false and misleading and deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that the quantity of the contents was not declared on the packages.

On April 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7195. Misbranding of Federal Special Chocolate. U. S. * * * v. Federal Cocoa & Chocolate Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9854. I. S. No. 16119-p.)

On October 29, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Federal Cocoa & Chocolate Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 30, 1917, from the State of Maryland into the State of Washington, of a quantity of chocolate liquor, invoiced as Federal Spec. Liquor, and billed as chocolate, which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Total ash	4.25
Fat	48.8
Crude fiber	4.44
On a fat-free basis:	
Total ash	8.30
Crude fiber	8.67

Microscopic examination showed the presence of a large amount of shell tissue, amounting to at least 4 per cent, and the chemical examination also showed the presence of an excessive amount of shells.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cocoa shells, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for chocolate liquor, which the article purported to be.

On October 29, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, Acting Secretary of Agriculture.

7196. Adulteration of granulated mandrake root. U. S. * * * v. J. L. Hopkins & Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 9860. I. S. No. 3832-p.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. L. Hopkins & Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on May 2, 1918, from the State of New York into the State of Maryland, of a quantity of an article, labeled in part "Granulated Mandrake Root," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to contain 2.96 per cent of resin and 7.02 per cent of ash.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that said Pharmacopœia prescribes that said article should not yield more than 3 per cent of ash, whereas said article yielded 7.02 per cent of ash.

On July 30, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, Acting Secretary of Agriculture.

7197. Adulteration of shell eggs. U. S. * * * v. Edward C. Grady. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9864. I. S. No. 11847-p.)

On August 13, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward C. Grady, Grundy Center, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 20, 1918, from the State of Iowa into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 3 half cases there were 208 inedible eggs, or 38.51 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On October 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7108. Misbranding of Mazo. U. S. * * * v. Commercial Laboratories, Inc., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 9865. I. S. Nos. 4876-p, 4877-p.)

On July 14, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Commercial Laboratories, Inc., a corporation, doing business at Newark, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 20, 1918 (2 shipments), from the State of New York into the State of Georgia, of a quantity of an article, labeled in part "Mazo," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the product to consist essentially of corn starch, skimmed milk powder, and sodium bicarbonate.

Misbranding of the article in each shipment was alleged in the information for the reason that the statements, to wit, "10¢ Package Does the Work of One Dozen Eggs," "Use contents of This Package as One Dozen Eggs," "Use Mazo Instead of Eggs in Baking and Cooking," "For Use Instead of Eggs in Baking and Cooking," "In Place of Eggs Called For in Recipe Use One Teaspoon Mazo," "In Muffins, Quick Breads, * * * Mazo may be used to entirely replace eggs," "In recipes requiring a large number of eggs, * * * the number of eggs required may be materially reduced by using Mazo for one-half the eggs required by recipe," borne on the packages containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was an egg substitute, that is to say, that one ten-cent package of the article would do the work of one dozen eggs, and that the contents of one of said packages could be used in place of one dozen eggs, and that said article could be used instead of eggs in baking and cooking, and that one teaspoonful of the article could be used in place of each egg called for in recipe, and that the article could be used to entirely replace eggs in muffins, quick breads, etc., and that the number of eggs required in recipes requiring a large number of eggs could be materially reduced by using the article for one-half the eggs required by the recipe, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was an egg substitute, that is to say, that one ten-cent package of the article would do the work of one dozen eggs, and that the contents of one of said packages could be used in place of one dozen eggs, that the article could be used instead of eggs in baking and cooking, and that one teaspoonful of the article could be used in place of each egg called for in the recipe, and that the article could be used entirely to replace eggs in muffins, quick breads, etc., and that the number of eggs required in recipes requiring a large number of eggs could be

materially reduced by using the article for one-half of the eggs required by the recipe, whereas, in truth and in fact, it was not an egg substitute, that is to say, one ten-cent package of the article would not do the work of one dozen eggs, the said article could not be used instead of eggs in baking and cooking, and one teaspoonful of the article could not be used in place of each egg called for in the recipe, and could not be used to entirely replace eggs in muffins and quick breads, and the number of eggs required in recipes requiring a large number of eggs could not be materially reduced by using the article for one-half the eggs required by the recipe.

On August 12, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7199. Adulteration of dried peaches. U. S. * * * v. 1,150 Cases of Dried Peaches. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9875. I. S. No. 6700-r. S. No. C-1105.)

On March 18, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,150 cases of dried peaches, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about December 3, 1918, by Russell Brokerage Co., under the name of the California Peach Growers Association, Inc., Wichita, Kans., and transported from the State of Kansas into the State of Missouri, charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Harvest Home Brand Practically Peeled Peaches" and "Bar B Q Choice Recleaned Peaches."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable product and was of a deleterious character and unfit for use as food.

On March 31, 1919, Niehoff-Schulze Groc. Co., Inc., St. Louis, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7200. Adulteration and misbranding of condensed milk. U. S. * * * v. 8 Barrels of Condensed Milk. Default decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9876. I. S. No. 6911-r. S. No. C-1083.)

On March 13, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 barrels of condensed milk, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about July 24, 1918, by the Litchfield Creamery Co., Litchfield, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Sweetened Condensed Milk."

Adulteration of the article was alleged in the libel for the reason that it consisted of a skimmed, sweetened, and partially condensed milk, which had been substituted in whole or in part for condensed milk, which the article purported to be, and for the further reason that a valuable constituent thereof, to wit, butter fat, had been partially abstracted from the article.

Misbranding of the article was alleged for the reason that the statements, "Condensed Milk" and "Sweetened Condensed Milk," were false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Sweetened Condensed Milk."

On April 9, 1919, Al. W. Paris, Minneapolis, Minn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

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Septicide Co-----	7161	Gregory, O. L., Vinegar Co	7151
Sirup, orange jooj:		Republic Preserving Co---	7170
Orange Julep Co-----	7194	apple cider:	
table:		Albemarle Products Corp--	7152
American Syrup & Preserv-		Wilson's Solution Anti-Flu:	
ing Co-----	7168	Cooper Medicine Co-----	7188
Solution Anti-Flu, Wilson's:			
Cooper Medicine Co-----	7188		



United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 7201-7250.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 24, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

- 7201.** Adulteration and misbranding of vinegar. U. S. * * * v. 18 Dozen Bottles and 16 Dozen Bottles of Pure Cider Vinegar, 8½ Dozen Bottles of Pure White Vinegar, 1 Gross Bottles of Table Vinegar, and 28 Bottles, 32 Dozen Bottles, 30 Dozen Bottles, 33 Dozen Bottles, 13 Dozen Bottles, and 5¼ Dozen Bottles of Table Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9930, 9931, 9933, 9934, 9935, 9936, 9937, 9938. I. S. Nos. 15384-r, 15426-r, 15428-r, 15429-r, 15430-r, 15431-r, 15432-r, 15398-r, 15399-r, 15400-r. S. Nos. E-1269, E-1267.)

On or about March 28, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, libels for the seizure and condemnation of 18 dozen bottles and 16 dozen bottles of Pure Cider Vinegar, 8½ dozen bottles of Pure White Vinegar, 1 gross bottles of Table Vinegar, and 28 bottles, 32 dozen bottles, 30 dozen bottles, 33 dozen bottles, 13 dozen bottles, and 5¼ dozen bottles of Table Vinegar, at Washington, D. C., alleging that the article had been offered for sale and sold in the District of Columbia by C. W. Davis & Son, Washington, D. C., and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, "Pure Cider Vinegar made from the juice of fresh apples," "Pure White Vinegar made from grain," and "Distilled Table Vinegar Colored."

Adulteration of the Pure Cider Vinegar was alleged in the libel for the reason that a substance, to wit, dilute acetic acid or distilled vinegar, artificially colored with caramel, had been substituted in whole or in part for pure cider vinegar, which the article purported to be, and for the further reason that it purported to be pure cider vinegar, whereas it was not cider vinegar, but was dilute acetic acid or distilled vinegar colored in a manner whereby its inferiority to cider vinegar was concealed.

Misbranding of the Pure Cider Vinegar was alleged for the reason that the statement, to wit, "Pure Cider Vinegar," was false and misleading and deceived and misled the purchaser by representing that the article was pure cider vinegar, whereas, in truth and in fact, it was not pure cider vinegar, but was, to wit, a substance consisting of dilute acetic acid and distilled vinegar, artificially colored with caramel,

and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not marked on the outside of the package.

Adulteration of the 8½ dozen bottles of Pure White Vinegar and the 1 gross bottles of Table Vinegar was alleged for the reason that there had been mixed and packed with the article water in excess of the amount contained in white vinegar and vinegar which the articles purported to be, so as to reduce, lower, and injuriously affect the quality and strength, and in that a product in each case deficient in acidity and consisting of white vinegar and water and vinegar and water in excess of the amount contained in vinegar had been substituted wholly or in part for the article, and of the table vinegar for the further reason that it purported to be cider vinegar, whereas, in fact, it was not cider vinegar, and was colored in a manner whereby its inferiority to cider vinegar was concealed.

Misbranding of these articles was alleged for the reason that the statements, to wit, "Pure White Vinegar" and "Vinegar," were false and misleading and deceived and misled the purchaser by representing that the article consisted of pure white vinegar and vinegar, as the case might be, when, in truth and in fact, it did not consist of pure white vinegar and vinegar, but consisted of, to wit, a product deficient in acidity and containing white vinegar and water and vinegar and water, as the case might be, in excess of the amount contained in white vinegar and vinegar, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure white vinegar and vinegar, as the case might be. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not stated on the outside of the packages.

Adulteration of the other lots of table vinegar was alleged for the reason that there had been mixed and packed with the article water in excess of the amount contained in vinegar, which the article purported to be, so as to reduce, lower, and injuriously affect its quality and strength, and in that a product deficient in acidity and consisting of vinegar and water in excess of the amount contained in vinegar had been substituted wholly or in part for the article, and for the further reason that the article purported to be cider vinegar, whereas, in fact, it was not cider vinegar, and was colored in a manner whereby its inferiority to cider vinegar was concealed.

Misbranding of these lots of table vinegar was alleged for the reason that the bottles were labeled "Vinegar," which labeling, not corrected by the words in inconspicuous type, "distilled" and "colored," was false and misleading and misled and deceived the purchaser by representing that the article was vinegar, whereas, in truth and in fact, it was not vinegar, but was, to wit, a substance deficient in acidity and containing vinegar and water in excess of the amount contained in vinegar; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, vinegar.

On April 25, 1919, the 8 cases having been consolidated and Cornelius W. Davis, Washington, D. C., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7202. Adulteration and misbranding of table oil. U. S. * * * v. 47 Cans of Table Oil.
Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9946. I. S. No. 15313-r. S. No. E-1273.)

On March 25, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 47 cans of table oil, consigned on March 8, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Gamanos & Booskos, New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil."

Adulteration of the article was alleged in the libel for the reason that substances, to wit, corn and cottonseed oils, had been substituted wholly or in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements borne on the label, together with the pictorial designs and devices, were false and misleading and deceived and misled the purchaser in that they conveyed the impression that the product was olive oil, when it was not; for the further reason that it purported to be a foreign product, when not so; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that it was food in package form, and the quantity of the contents was not declared.

On May 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be relabeled and sold at public auction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7203. Misbranding of cheese. U. S. * * * v. 33 Cartons of Cheese. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9949. I. S. Nos. 7852-r, 7853-r, 7854-r, 7855-r, 7856-r, 7857-r, 7858-r. S. No. C-1127.)

On April 2, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 33 cartons of cheese, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on February 10, 1919, and March 4, 1919, by J. L. Kraft & Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended.

The article was labeled in part, "Elkhorn Kraft Cheese—Chile Flavor," "Elkhorn Limberger Cheese," and "Elkhorn—Roquefort—American Cheese," and "J. L. Kraft & Bros. Co., Chicago, Ill."

Misbranding of the article was alleged in the libel for the reason that the labels on the cans containing the article bore statements representing that each can contained $\frac{1}{4}$ pound of cheese, which statement was false and misleading, inasmuch as the contents of the cans were materially less than that amount, averaging from 5 per cent to 9.25 per cent shortage in weight. Misbranding of the article was alleged for the further reason that the statement, to wit, "Contents one-quarter pound," borne on the cans, deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight, since the amount stated was not a correct statement of the quantity of food contained in the package.

On May 10, 1919, the said J. L. Kraft & Bros. Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it

was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7204. Misbranding of Wilson's Solution Anti-Flu. U. S. * * * v. 35 Cartons of Bottles Containing a Drug Solution or Product. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9950. I. S. No. 7066-r. S. No. C-1126.)

On March 27, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 cases of a certain drug product, Wilson's Solution Anti-Flu, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about November 11, 1918, by the Cooper Medicine Co., Dayton, O., and transported from the State of Ohio into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Wilson's Solution Anti-Flu."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of oil of eucalyptus and methyl salicylate.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the bottles bore a statement that the contents of each bottle contained a solution which was "a powerful antiseptic to be used as a preventive against influenza, colds and grip," and that such statement was false and fraudulent. Misbranding was alleged for the further reason that the article was a mixture composed essentially of oil of eucalyptus and methyl salicylate, and that said solution contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed on the labels. Misbranding was alleged for the further reason that the statement on the label, that "A few drops inhaled from handkerchief disinfects nose and throat," was false and fraudulent in that the solution contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed on the labels. Misbranding was further alleged for the reason that the product was labeled, "For sore throat and soreness in chest, make rubbing ointment by mixing one-half teaspoonful with tablespoonful of vaseline. To make spraying solution for use of throat add 10 drops to one tablespoonful olive oil," and that said statements were false and fraudulent, and that said product contained no ingredient or combination of ingredients capable of producing any of the curative or therapeutic effects claimed for it on the labels, when used alone or mixed with olive oil or vaseline.

On April 21, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7205. Adulteration of oranges. U. S. * * * v. 461½ Boxes of Oranges. Consent decree of condemnation and forfeiture. Good portion of product ordered released on bond. Unfit portion ordered destroyed or denatured. (F. & D. No. 9951. I. S. No. 15436-r. S. No. E-1276.)

On April 3, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 461½ boxes of oranges, remaining unsold in the original unbroken packages at New York, N. Y., consigned on March 8, 1919, alleging that the article had been shipped by the California Fruit Growers Exchange, Walnut, Cal., and transported from the State of

California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance, in that a large proportion of the oranges were frosted, and 60 per cent of them exhibited marked drying in 20 per cent or more of area.

On April 7, 1919, the San Antonio Fruit Exchange, Pomona, Cal., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned that the product should be resorted under the supervision of a representative of this department, such portion as might be found fit for manufacture into jelly and marmalade to be released to said claimant for that purpose, and the remainder to be destroyed or denatured.

E. D. BALL, *Acting Secretary of Agriculture.*

7206. Misbranding of Prescription 1000. U. S. * * * v. 57 Packages of Drugs Labeled in Part "Prescription 1000." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9954. I. S. Nos. 7907-r, 7908-r. S. No. C-1131.)

On March 29, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 57 packages of drugs, labeled in part, "Prescription 1000," consigned on January 27, 1919, by the Reese Chemical Co., Cleveland, O., remaining unsold in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped and transported from the State of Ohio into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "* * * Prescription 1000 * * * Internal * * *" and "* * * Prescription 1000 * * * External * * *."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the Prescription 1000 Internal consisted essentially of a slightly alkaline emulsion of copaiba, flavored with methyl salicylate, and that the Prescription 1000 External consisted essentially of a dilute aqueous solution of potassium permanganate.

Misbranding of the article was alleged in the libel for the reason that the labels on the packages bore and contained false and fraudulent statements, designs, and devices regarding the curative and therapeutic effect of the article.

On June 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7207. Adulteration and misbranding of olive oil. U. S. * * * v. Giuseppe Crisafulli and Stefano Crisafulli (Crisafulli Bros.). Plea of guilty. Fine, \$25. (F. & D. No. 9957. I. S. Nos. 13726-r, 13727-r.)

On July 17, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Giuseppe Crisafulli and Stefano Crisafulli, copartners, trading as Crisafulli Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on October 10, 1918, and June 21, 1918, from the State of New York into the State of Pennsylvania, of quantities of an article, labeled in part "Table Oil * * * Extra Fine Olive Oil," together with designs showing olive tree and branches with olives, and the statement in inconspicuous type, "Corn salad oil compound with." Said article was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed it to consist essentially of cottonseed oil and corn oil. In the shipment of October 10, 1918, the average volume of 6 cans of the so-called $\frac{1}{2}$ -gallon size was 0.48 gallon, and that of 6 cans of the so-called $\frac{1}{4}$ -gallon size was 0.24 gallon.

Adulteration of the article in the shipments was alleged in the information for the reason that a substance, to wit, a mixture of cottonseed oil and corn oil, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article in the shipment of October 10, 1918, was alleged for the reason that the statement, to wit, "Table Oil * * * Extra Fine Olive Oil," together with the designs on the label showing olive branches with olives and an olive tree, not corrected by the statement in inconspicuous type, "Corn salad oil compound with," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was olive oil, whereas, in truth and in fact, it was not, but was a product consisting essentially of a mixture of corn oil and cottonseed oil, and for the further reason that the statement, to wit, "Net Contents Half Gallon" or "Net Contents One Quarter Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, whereas, in truth and in fact, it was not olive oil, but was a product consisting essentially of a mixture of corn oil and cottonseed oil, and each of said cans did not contain $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, but contained a less amount; and for the further reason that it was a product composed essentially of a mixture of corn oil and cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil. Misbranding of the article in the shipment of June 21, 1918, was alleged for the reason that the statement, to wit, "Table Oil * * * Extra Fine Olive Oil," together with the designs on the label showing olive branches with olives and an olive tree, not corrected by the statement in inconspicuous type, "Corn salad oil compound with," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, whereas, in truth and in fact, it was not, but was a product consisting essentially of a mixture of corn oil and cottonseed oil; and for the further reason that it was a product composed essentially of corn oil and cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil.

On July 23, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

7208. Misbranding of cucumbers. U. S. * * * v. Percy M. Chaddock. Plea of guilty. Fine, \$10. (F. & D. No. 9960. I. S. No. 5846-r.)

On July 31, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Percy M. Chaddock, South Haven, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 23, 1918, from the State of Michigan into the State of Illinois, of a quantity of cucumbers which were misbranded.

An examination of the containers of the article by the Bureau of Chemistry of this department showed that the quantity of the contents was not declared.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 14, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

7209. Misbranding of pears. U. S. * * * v. Joseph Brownlow. Plea of guilty. Fine, \$10. (F. & D. No. 9961. I. S. No. 5832-r.)

On September 11, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph Brownlow, Benton Harbor, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about September 15, 1918, from the State of Michigan into the State of Illinois, of a quantity of pears which were misbranded.

Examination of the containers of the article by the Bureau of Chemistry of this department showed that the quantity of the contents was not declared.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 14, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

7210. Adulteration and misbranding of Big G. U. S. * * * v. 33 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10209. I. S. No. 12917-r. S. No. E-1338.)

On May 6, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 33 bottles of Big G, consigned on January 10, 1919, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, O., and transported from the State of Ohio into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Big G. A Compound of Borated Goldenseal * * * Prepared by The Evans Chemical Co., Cincinnati, Ohio, U. S. A."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of boric acid and berberine. No hydrastine was present.

Adulteration of the article was alleged in substance in the libel for the reason that it was labeled on the carton as a compound of borated goldenseal, whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance in the libel for the reason that the carton, bottle label, and booklet bore certain statements regarding the curative and therapeutic effects thereof which were false and fraudulent in that they represented that the article was effective in the treatment, cure, or prevention of catarrh, hay fever, inflammations, irritations or ulcerations of mucous membranes or linings of the nose, throat, stomach and urinary organs; for unnatural discharges of the urinary organs, inflamed ulcerated itching conditions of the skin and mucous membranes or

linings of the mouth, nose, throat, eye and ear, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, chronic gonorrhœa, stricture, folliculitis, gonorrhœal prostatitis, spermatorrhœa, bubo, gonorrhœal cystitis, balanitis, inflammation or swelling of a lymphatic gland of the groin, leucorrhœa, whites, catarrh of the vagina, and certain other diseases, when, in truth and in fact, the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On July 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7211. Misbranding of yellow oxid mercury ointment. U. S. * * * v. Southern Drug Company, a corporation. Collateral of \$25 forfeited. (F. & D. No. 9892. I. S. No. 3787-p.)

On July 16, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information against the Southern Drug Company, a corporation, doing business at Washington, D. C., alleging that said company did offer for sale and sell at the aforesaid District, in violation of the Food and Drugs Act, a quantity of an article, labeled in part "Southern Drug Co. Cor. 13th & G Sts. N. W. Washington D. C. * * * 1% Yellow Oxide Mercury Oint.," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 0.21 per cent of mercuric oxid.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "1% Yellow Oxide Mercury Oint.," borne on the label attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained 1 per cent yellow oxid mercury ointment, whereas, in truth and in fact, it contained a less amount, to wit, 0.21 per cent of yellow oxid mercury ointment.

On July 18, 1919, the defendant company having failed to appear, the \$25 collateral that had theretofore been deposited by him to insure his appearance was forfeited by order of the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7212. Adulteration and misbranding of olive oil. U. S. * * * v. Joseph Angiolillo, Dominick Angiolillo, and Hubert Angiolillo (Angiolillo Brothers). Plea of guilty. Fine, \$100. (F. & D. No. 9900. I. S. No. 13721-r.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph Angiolillo, Dominick Angiolillo and Hubert Angiolillo, trading as Angiolillo Brothers, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on June 26, 1918, July 12, 1918, and July 15, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Olio finissimo," "cottonseed (inconspicuous type)," "Olive Oil," "A compound," (in conspicuous type), "Tripolitania Brand," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the cans of each size consisted almost entirely of corn oil, and were short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, corn oil, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olive Oil" and "Net Contents Full 1 Gallon," or "Net Contents Full 1/2 Gallon," or "Net Contents Full 1/4 Gallon," and the design comprising the Italian coat of arms, the Italian flag, crown and medals, with words in the Italian language, not corrected by the statements, "Cottonseed Oil" and "A Compound," in small and inconspicuous type, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full gallon, or one full half gallon, or 1 full quarter gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that said article was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full gallon, or 1 full half gallon, or 1 full quarter gallon of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of corn oil, and was not a foreign product, to wit, olive oil produced in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon, or 1 full half gallon, or 1 full quarter gallon of the article, but contained a less amount; and for the further reason that it was a mixture composed in part of corn oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 6, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7213. Misbranding of olive oil. U. S. * * * v. Socrates Moscahlades and Stylianos or Moscahlades (Moscahlades Bros.). Plea of guilty. Fine, \$50. (F. & D. No. 9901. I. S. No. 13722-r.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Socrates Moscahlades and Stylianos Moscahlades, trading as Moscahlades Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on December 15, 1917, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Glória Virgin Pure Olive Oil," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the $\frac{1}{2}$ -gallon cans were 5.56 per cent short volume, and the $\frac{1}{4}$ -gallon cans were 5.32 per cent short volume.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents $\frac{1}{2}$ Gal.," or "Net Contents $\frac{1}{4}$ Gal.," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, whereas, in truth and in fact, each of said cans did not contain $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, but contained a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7214. Adulteration of oranges. U. S. * * * v. 353 Cases of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9911. I. S. Nos. 14335-r, 14337-r. S. No. E-1261.)

On March 13, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 353 cases of oranges, consigned on February 20, 1919, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Fruit Growers Exchange, Riverside, Cal., and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "W. Navels Square Brand Orchard Run La Mesa Packing Co., Riverside Co., California."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On March 24, 1919, the Riverside Fruit Exchange, Riverside, Cal., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned that the product should be utilized solely for the manufacture of jelly and marmalade.

E. D. BALL, *Acting Secretary of Agriculture.*

7215. Adulteration of oranges. U. S. * * * v. 462 Boxes, 448 Boxes, 448 Boxes, and 462 Boxes of oranges. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. Nos. 9912, 9913, 9916, 9917. I. S. Nos. 13411-r, 13414-r, 13418-r, 13419-r, 13420-r, 13415-r, 13416-r, 13417-r. S. Nos. E-1262, E-1263, E-1235, E-1266.)

On March 13, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 462 boxes, 448 boxes, 448 boxes, and 462 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about February 24, 1919, February 26, 1919 (2 shipments), and February 27, 1919, by Cleghorn Bros., Highland, Calif., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance unfit for human food.

On March 17, 1919, D. Kellerman, Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the article be sorted under the supervision of a representative of this department, the portion found fit for human food to be released to said claimant and the unfit portion destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

7216. Misbranding of cheese. U. S. * * * v. 54 Cartons of Cheese. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9915. I. S. Nos. 8807-r, 8810-r, 8811-r, 8813-r, 8814-r. S. No. C-1106.)

On March 19, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 54 cartons of cheese, remaining unsold in the original unbroken packages at Milwaukee, Wis.,

alleging that the article had been shipped on or about February 18, 1919, by J. L. Kraft & Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Elkhorn Limberger Cheese," "Elkhorn—Roquefort—American Cheese," "Elkhorn Swiss Cheese," "Elkhorn Kraft Cheese—Pimento Flavor," "Elkhorn Kraft Cheese, American Cheddar," and "J. L. Kraft & Bros. Co., Chicago, Ill."

Misbranding of the article was alleged in the libel for the reason that the labels on the cans containing the article bore the statement that each can contained $\frac{1}{4}$ pound of cheese, which was false and misleading inasmuch as the contents of the cans were less than that amount, averaging in percentage from 3.75 per cent to 9.87 per cent shortage in weight, and for the further reason that the statement, "Contents One Quarter Pound," deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in the terms of weight, since the amount stated was not a correct statement of the food contained in each package or can.

On May 10, 1919, the said J. L. Kraft Bros. & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7217. Adulteration and misbranding of olive oil. U. S. * * * v. 2 Barrels of Olive Oil.
Consent decree of condemnation and forfeiture. Product ordered released on bond.
(F. & D. No. 9918. I. S. No. 13273-r. S. No. E-1270.)

On March 21, 1919, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels of olive oil, at Syracuse, N. Y., alleging that the article had been shipped on or about February 15, 1919, by Coroneos Bros., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Miguel Moreno Moncayo Olive Oil Malaga Spain."

Adulteration of the article was alleged for the reason that instead of being olive oil it was in fact almost entirely cottonseed oil, which had been mixed with and substituted almost entirely for olive oil.

Misbranding of the article was alleged for the reason that each of the containers was labeled and branded "Olive Oil," and which containers were misbranded in that they did not contain [bear] a clear, plain, and truthful statement of the contents of said containers, in that the barrels contained food products therein which were not olive oil, but were almost entirely cottonseed oil, which had been mixed with a small quantity of olive oil and substituted for olive oil, and that the words "Olive Oil" were used for the purpose of declaring and making it known that the contents of the barrels were in fact olive oil, which said statement was false and misleading and deceived and misled the purchaser in that in fact the article was an imitation of a standard well-known food product which was sold under a distinctive name, to wit, olive oil, which is altogether different from the article contained in said barrels, and the said contents were in reality of less value, [of] less use, less wholesome, and not the article or product which the purchaser was led to believe that he was purchasing. Misbranding of the article was alleged for the further reason that the statements borne on the

label operated and were intended to make the purchaser believe that he was purchasing a well-known article of food of foreign production, whereas, in fact, said wording was false and untrue and misled and deceived the purchaser in that it led him to believe that he was getting a foreign product, whereas the product contained in the barrels was in fact chiefly cottonseed oil and not the foreign product known and intended to be designated by the words "Olive Oil," and in that the contents of the barrels were a different substance from that stated on the label.

On April 29, 1919, the said Coroneos Bros., claimant, having filed a claim, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7218. Adulteration of tomatoes. U. S. * * * v. 1334 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9919. I. S. No. 5522-r. S. No. C-1109.)

On March 25, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1334 cases, each containing 6 cans of tomatoes, remaining unsold in the original unbroken packages at Superior, Wis., alleging that the article had been shipped on December 17, 1918, by the San Fernando Canning Co., San Fernando, Cal., and transported from the State of California into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Calpac Brand California Tomatoes. * * * Packed by San Fernando Packing Co., San Fernando, Cal."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance unfit for human food.

On August 2, 1919, the said San Fernando Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1000, in conformity with section 10 of the act, conditioned in part that the product should be sorted under the supervision of a representative of this department so as to eliminate the decomposed portions thereof.

E. D. BALL, *Acting Secretary of Agriculture.*

7219. Adulteration of Chili peppers. U. S. * * * v. 10 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9920. I. S. No. 7802-r. S. No. C-1110.)

On March 20, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 sacks of Chili peppers, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 11, 1919, by Joannes Brothers Co., Buena Park, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in large part of a filthy, decomposed, and putrid vegetable substance and was unfit for human food.

On March 31, 1919, the Sellers-Brown Coffee Co., St. Louis, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sorted, the portion found unfit for food

consumption to be destroyed, and the remaining portion found suitable and fit for food consumption should not contain any decomposed vegetable matter.

E. D. BALL, *Acting Secretary of Agriculture.*

7220. Misbranding of tomatoes and cucumbers. U. S. * * * v. Philip Spozios and Alma Spozios (Philip Spozios). Plea of guilty. Fine, \$15. (F. & D. No. 9963. I. S. Nos. 5830-r, 6704-r, 6705-r.)

On July 31, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Philip Spozios and Alma Spozios, copartners, trading under the name of Philip Spozios, South Haven, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 16, 1918, and September 30, 1918, from the State of Michigan into the State of Illinois, of a quantity of tomatoes and cucumbers which were misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed that none of the baskets containing the article were labeled as to the quantity of the contents.

Misbranding of the article in each shipment was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 14, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$15.

E. D. BALL, *Acting Secretary of Agriculture.*

7221. Adulteration and misbranding of gelatin. U. S. * * * v. 1 Barrel of Gelatin. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9988. I. S. No. 7808-r. S. No. C-1138.)

On April 1, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of gelatin, consigned by W. B. Wood Mfg. Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Marion, Ill., alleging that the article had been shipped on or about March 1, 1919, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that glue and an excessive amount of zinc had been mixed and packed therewith and substituted wholly or in part for gelatin, which the article purported to be, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was offered for sale under the distinctive name of another article, to wit, gelatin.

On June 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold at private or public sale by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7222. Adulteration and misbranding of essence of lemon. U. S. * * * v. 25 Dozen Bottles of a Product Purporting to be Essence of Lemon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9989. I. S. No. 12802-r. S. No. E-1280.)

On April 3, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the

United States for said district a libel of information praying the seizure and condemnation of 25 dozen bottles of a product purporting to be essence of lemon, remaining unsold in the original unbroken packages at North Adams, Mass., consigned on February 5, 1919, alleging that the article had been shipped by the Public Service Drug Co., Glens Falls, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel of information for the reason that it contained dilute alcohol containing citral and lemon in quantities less than contained in true essence of lemon.

Misbranding of the article was alleged in substance for the reason that the statement, "Essence of Lemon," was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, essence of lemon, whereas, in truth and in fact, it was not essence of lemon. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not set forth upon the article of food.

On May 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7223. Adulteration of Cacapon Water. U. S. * * * v. 26 10-Gallon Kegs of Cacapon Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9991. I. S. No. 15570-r. S. No. E-1284.)

On April 2, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, a libel for the seizure and condemnation of 26 10-gallon kegs of Cacapon Water at Washington, D. C., alleging that the article had been shipped on March 17, 1919, by the Capon Springs Co., Capon Springs, W. Va., and transported from the State of West Virginia into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On May 20, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7224. Adulteration and misbranding of olive oil. U. S. * * * v. 25 ½-gallon Cans and 15 5-gallon Cans of Oil Purporting to be Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9992. I. S. Nos. 2711-r, 2712-r. S. No. W-292.)

On April 7, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 ½-gallon cans and 15 5-gallon cans of olive oil, consigned by Frank Carramus, Kansas City, Mo., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 22, 1918, and transported from the State of Missouri into the State of Colorado, and charging adulteration and misbranding in violation

of the Food and Drugs Act, as amended. The 25 $\frac{1}{2}$ -gallon cans were labeled in part, "Extra Pure Olive Oil * * * $\frac{1}{2}$ Gallon Net," and the 5-gallon cans were unlabeled, but were shipped as and represented by the shipper to be olive oil.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith and substituted for olive oil so as to reduce, lower, and injuriously affect its quality.

Misbranding of the article was alleged in substance for the reason that the $\frac{1}{2}$ -gallon cans bore a statement regarding the contents thereon, representing that it was pure olive oil, which statement was false and misleading and calculated to deceive the purchaser. Misbranding was alleged for the further reason that the article contained in the 5-gallon cans was intended [for] and was offered for sale under the distinctive name of another article, to wit, olive oil, whereas, in truth and in fact, said article was not olive oil. Misbranding of the article in the 5-gallon cans was alleged for the further reason that it was food in package form, and the quantity of the contents was not stated on the outside of the package or can.

On May 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be labeled so as to plainly indicate that said oil was a compound or blend of cottonseed oil and olive oil, and should be plainly and conspicuously marked, each can on the outside thereof, in terms of measure with the correct quantity of the contents, and that it should be sold either at public or private sale by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7225. Adulteration and misbranding of Daisy Dairy Feed. U. S. * * * v. 200 Cases of Daisy Dairy Feed. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9905. I. S. No. 16306-r. S. No. E-1283.)

On March 4, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases of Daisy Dairy Feed, remaining unsold in the original unbroken packages at Gainesville, Ga., alleging that the article had been shipped on or about December 31, 1918, by the Sutherland Flour Mills Co., Cairo, Ill., and transported from the State of Illinois into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. Said article was labeled in part, "Daisy Dairy Feed * * * Analysis: Protein, 13.25 per cent; Fat, 3.50 per cent; Fibre, 12.50 per cent. Sutherland Flour Mills Co., Cairo, Ill."

Adulteration of the article was alleged in substance in the libel for the reason that a substance containing lower percentages of protein and fat and a higher percentage of fiber than those indicated on the label and tag had been mixed and packed therewith and had been substituted wholly or in part for the article so as to reduce, lower, and injuriously affect the quality of the said product.

Misbranding of the article was alleged for the reason that the statements borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that the product did not contain 13.25 per cent of protein and did not contain 3.5 per cent of fat and contained more than 12.5 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser and cause him to believe that the product contained 13.25 per cent of protein, 3.5 per cent of fat, and only 12.5 per cent of fiber, whereas, in truth and in fact, it did not contain 13.25 per cent of protein, and 3.5 per cent of fat and contained more than 12.5 per cent of fiber.

On May 3, 1919, the said Sutherland Flour Mills Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered

and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7226. Adulteration of oranges. U. S. * * * v. 448 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10000. I. S. No. 2504-r. S. No. W-280.)

On or about February 19, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 448 boxes of oranges, consigned by T. H. Peppers, Upland, Calif., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about February 8, 1919, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance, to wit, decomposed oranges, resulting from frosting and freezing.

On March 26, 1919, M. J. Zeuzius, Denver, Col., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7227. Adulteration of scallops. U. S. * * * v. 15 Gallons of Scallops. Default decree of condemnation and forfeiture. Product ordered disposed of for fertilizer or other similar manufacturing purposes. (F. & D. No. 10001. I. S. No. 13842-r. S. No. E-1264.)

On March 13, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 gallons of scallops, at New York, N. Y., alleging that the article had been shipped on March 5, 1919, by Piner Brothers, Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, water, had been mixed and packed with, and substituted in part for, scallops, which the article purported to be.

On April 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, but that if said merchandise could be disposed of for fertilizer or other similar manufacturing purposes, other than for human or animal consumption, then it might be disposed of in such manner as might be found practicable.

E. D. BALL, *Acting Secretary of Agriculture.*

7228. Adulteration of scallops. U. S. * * * v. 22 Gallons of Scallops. Default decree of condemnation and forfeiture. Product ordered destroyed or disposed of for fertilizer or similar manufacturing purposes. (F. & D. No. 10002. I. S. Nos. 13845-r, 13846-r, 13847-r, 13848-r, 14796-r, 14797-r. S. No. E-1268.)

On March 17, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22

gallons of scallops, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about March 10, 1919, by Wallace M. Quinn Co., Morehead City, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, water, had been mixed and packed with, and substituted in part for, scallops, which the article purported to be.

On April 3, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, but if said article could be disposed of for fertilizer or other similar manufacturing purposes, other than for human or animal consumption, then it might be disposed of in such manner as might be found practicable.

E. D. BALL, *Acting Secretary of Agriculture.*

7229. Adulteration and misbranding of olive oil. U. S. * * * v. 22 Gallons of Olive Oil (so called). Default decree of condemnation, forfeiture, and sale. (F. & D. No. 10004. I. S. No. 13576-r. S. No. E-1286.)

On April 5, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 gallons of olive oil, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped on or about February 18, 1919, by Victor A. Mollica, New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil Tipo Termini Imerese Cottonseed Oil slightly Flavored with Olive Oil, Cicilia-Atalia. Guaranteed to be Absolutely Pure. (Picture of olive tree and peasants harvesting olives.)"

Adulteration of the article was alleged in the libel for the reason that corn oil and cottonseed oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for olive oil, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the labels on the cans bore statements regarding the article which were false and misleading, that is to say, the words, to wit, "Cicilia-Atalia Guaranteed to be Absolutely Pure," together with the designs and devices showing olive tree and peasants harvesting olives, which statements and designs were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not, and which impression was not sufficiently corrected by the legend, "Cottonseed Oil Slightly Flavored with Olive Oil." Misbranding was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count; and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was not; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil.

On June 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7230. Misbranding of olive oil. U. S. * * * v. 44 Cans of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 10005. I. S. No. 2677-r. S. No. W-296.)

On April 8, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 44 cans of olive oil, consigned by Deligiannis Bros., Chicago, Ill., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about March 18, 1919, and transported from the State of Illinois into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pure Olive Oil Universal Brand Deligiannis Bros., Chicago, U. S. A. Contents 2 Quarts."

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly, conspicuously, and correctly marked on the outside of the package in terms of weight or measure, and for the further reason that the label bore the mark "2 Quarts," whereas the contents of each can was about 8 per cent less than 2 quarts.

On May 26, 1919, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product should be labeled to show the correct and actual measure of the contents thereof and sold either at public or private sale by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7231. Adulteration and misbranding of extract of ginger. U. S. * * * v. 4 Gross and 1 Dozen Bottles of a Product Purporting to be Extract of Ginger. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10006. I. S. No. 12803-r. S. No. E-1285.)

On April 7, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 4 gross and 1 dozen bottles of a product purporting to be extract of ginger, at North Adams, Mass., consigned on or about September 10, 1918, alleging that the article had been shipped by the Boyce Extract Co., New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Extract of Ginger 20% Alcohol * * * Boyce Ext. Co. Inc. New York."

Adulteration of the article was alleged in the libel of information for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down therein in that its strength and purity fell below the professed standard and quality under which it was sold, and for the further reason that a substance deficient in ginger and containing less alcohol than claimed had been mixed and packed with, and substituted wholly or in part for, the article, and for the further reason that it was artificially colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, extract of ginger, and for the further reason that the bottles failed to bear statements on the labels of the quantity or proportion of alcohol contained therein, and for the further reason that the statement, to wit, "Extract of Ginger," was false and misleading and deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of its contents was not set forth on the labels.

On September 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7232. Adulteration and misbranding of butter. U. S. * * * v. 7 Barrels of Butter. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 10007. I. S. No. 2716-r. S. No. W-297.)

On April 7, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 barrels of butter, consigned by the Fox Produce Co., Alva, Okla., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about March 25, 1919, and transported from the State of Oklahoma into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it contained an excessive amount of moisture and free acids, was rancid and moldy, and consisted in part of a filthy, decomposed, and putrid animal substance.

Misbranding of the article was alleged for the reason that it was food in package form, and the quantity or weight was not stated on the outside of the package or barrel.

On May 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal for purposes other than for human consumption.

E. D. BALL, *Acting Secretary of Agriculture.*

7233. Misbranding of Wilson's Solution Anti-Flu. U. S. * * * v. 48 Gross Bottles of Wilson's Solution Anti-Flu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10008. I. S. No. 2151-r. S. No. W-294.)

On April 8, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 gross bottles of Wilson's Solution Anti-Flu, remaining unsold in the original unbroken packages at Los Angeles, Cal., alleging that the article had been shipped on November 12, 1918, by the Cooper Medicine Co., Dayton, O., and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Wilson's Solution Anti-Flu (Trademark). A powerful antiseptic to be used as a preventive against influenza, colds and grip. * * * G. F. Willis Co., Atlanta, Ga.; Distributor."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an oil of eucalyptus, thymol, and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the statements borne on the labels of the bottles were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On June 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7234. Misbranding of Wilson's Solution Anti-Flu. U. S. * * * v. 41½ Gross Bottles of Wilson's Solution Anti-Flu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10009. I. S. No. 2653-r. S. No. W-295.)

On April 7, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 41½ gross bottles of Wilson's Solution Anti-Flu, consigned by the Cooper Medicine Co., Dayton, O., remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on November 9, 1918, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Wilson's Solution Anti-Flu. A powerful antiseptic to be used as a preventive against influenza, colds, and grip. A few drops inhaled from handkerchief disinfects nose and throat. To make spraying solution for nose and throat, add 10 drops Wilson's Solution to one tablespoonful olive oil. For sore throat and soreness in chest make rubbing ointment by mixing one-half teaspoonful with tablespoonful of vaseline."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oil of eucalyptus, thymol, and methyl salicylate.

Misbranding of the article was alleged in substance for the reason that the statements borne on the labels of the bottles, to wit, "Wilson's Solution Anti-Flu. A powerful antiseptic to be used as a preventive against influenza, colds and grip. A few drops inhaled from handkerchief disinfects nose and throat. To make spraying solution for nose and throat, add 10 drops Wilson's solution to one tablespoonful olive oil. For sore throat and soreness in chest make rubbing ointment by mixing one-half teaspoonful with tablespoonful of vaseline," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it when used alone, or in connection with vaseline or olive oil.

On May 1, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7235. Adulteration of canned sweet potatoes. U. S. * * * v. 1650 Cases of Canned Sweet Potatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D., No. 10010. I. S. Nos. 15554-r, 15555-r. S. No. E-1291.)

On April 15, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1650 cases of canned sweet potatoes, consigned on November 18, 1916, and November 24, 1916, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Paynter Packing Co., Paynter, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On May 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7236. Misbranding of Wilson's Solution Anti-Flu. U. S. * * * v. 33 Gross Bottles of * * * Wilson's Solution Anti-Flu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10011. I. S. No. 2370-r. S. No. W-298.)

On April 9, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 33 gross bottles of Wilson's Solution Anti-Flu, remaining unsold in the original unbroken packages at Portland, Ore., alleging that the article had been shipped on November 7, 1918, by the Cooper Medicine Co., Dayton, O., and transported from the State of Ohio into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Wilson's Solution Anti-Flu. A Powerful Antiseptic to be used as a Preventive against Influenza, Colds and Grip. * * * G. F. Willis Co., Atlanta, Ga., Distributor. Wilson's Solution Anti-Flu. A powerful Antiseptic to be used as a Preventive against Influenza, Colds and Grip. A few drops inhaled from handkerchief disinfects nose and throat. To make spraying solution for nose and throat add 10 drops Wilson's Solution to one tablespoonful olive oil. For sore throat and soreness in chest make rubbing ointment by mixing one-half teaspoonful with tablespoonful vaseline."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oil of eucalyptus, thymol, and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the statements borne on the labels of the bottles, regarding the curative and therapeutic effects of said drugs, ingredients, and substances contained therein, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and remedial therapeutic effects claimed for it on the label.

On May 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7237. Adulteration of oranges. U. S. * * * v. 188 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10015. I. S. No. 13427-r. S. No. E-1296.)

On or about April 4, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 188 boxes of oranges, consigned by the California Fruit Growers Exchange, Rialto, Cal., remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on March 19, 1919, and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On April 19, 1919, the said California Fruit Growers Exchange, claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7238. Adulteration of shrimps. U. S. * * * v. 956 Cases of Shrimps. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. Nos. 10021, 10022. I. S. Nos. 14974-r, 14975-r. S. Nos. E-1300, E-1301.)

On April 12, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 956 cases, each containing 40 cans of shrimps, consigned by the Dosher St. George Sea Food & Canning Co., Southport, N. C., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about November 14, 1918, and October 19, 1918, and transported from the State of North Carolina into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Bobco Brand Shrimp" and "St. George Brand Wet Shrimp."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On June 14, 1919, the said Dosher St. George Sea Food & Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled, the wholesome portions separated from the unwholesome and salvaged, and the unwholesome portions destroyed under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7239. Adulteration of oranges. U. S. * * * v. 368 Cases and 19 One-half Cases of Oranges. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. No. 10923. I. S. No. 15446-r. S. No. E-1302.)

On April 10, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 368 cases and 19 one-half cases of oranges, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about March 24, 1919, by the Rialto Fruit Co., Rialto, Cal., and transported from the State of California into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On April 22, 1919, the Randolph Marketing Co., claimant, having consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,118, in conformity with section 10 of the act, conditioned in part that the product should be separated under the supervision of a representative of this department, the sound portion to be released to said claimant for sale as such, the portion found to be frosted but fit for manufacture into jelly and marmalade to be released to said claimant for such purposes, and the unfit portion to be destroyed or denatured.

E. D. BALL, *Acting Secretary of Agriculture.*

7240. Adulteration and misbranding of peanut oil. U. S. * * * v. 158 Cases of Oil Purporting to be Peanut Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9877. I. S. No. 2569-r. S. No. W-286.)

On March 21, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 158 cases of peanut oil, consigned by the Old Monk Olive Oil Co., Chicago, Ill., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about October 4, 1918, October 5, 1918, and October 9, 1918, and transported from the State of Illinois into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Marcella Huile d'Arachides is the finest grade of pure Virgin Peanut Oil produced from selected varieties * * *."

Adulteration of the article was alleged in the libel for the reason that other oil, to wit, cottonseed oil, had been mixed with and canned with the article so as to reduce, lower, and injuriously affect its quality as a food oil, and cottonseed oil, an oil cheaper [than] and inferior to peanut oil, had been substituted in part for peanut oil, and for the further reason that said article was about 25 per cent cottonseed oil, and was labeled and offered for sale as pure peanut oil.

Misbranding of the article was alleged for the reason that the label on the cans bore a statement regarding the ingredients or substances contained therein, which was false and misleading and calculated to deceive the purchaser in that said labels bore the statement that the article was pure peanut oil, while, in fact, it was not a pure peanut oil, but cottonseed oil, a cheaper and inferior oil, was mixed with the peanut oil.

On April 21, 1919, the J. S. Brown Mercantile Co., Denver, Colo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$6,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7241. Adulteration and misbranding of peanut oil. U. S. * * * v. 26 Cases of Oil Purporting to be Peanut Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9878. I. S. No. 2573-r. S. No. W-286.)

On March 21, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 cases of peanut oil, consigned by the Old Monk Olive Oil Co., Chicago, Ill., remaining unsold in the original unbroken packages at Trinidad, Colo., alleging that the article had been shipped on or about August 9, 1918, and August 27, 1918, and transported from the State of Illinois into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Marcella Huile d'Arachides is the finest grade of pure Virgin Peanut Oil produced from selected varieties * * *."

Adulteration of the article was alleged in the libel for the reason that other oil, to wit, cottonseed oil, had been mixed with and canned with the article so as to reduce, lower, and injuriously affect its quality as a food oil, and cottonseed oil, an oil cheaper [than] and inferior to peanut oil, had been substituted in part for peanut oil, and for the further reason that said article was about 25 per cent cottonseed oil and was labeled and offered for sale as pure peanut oil.

Misbranding of the article was alleged for the reason that the label on the cans bore a statement regarding the ingredients or substances contained therein which was false and misleading and calculated to deceive the purchaser in that said labels bore

the statement that the article was pure peanut oil, while, in fact, it was not a pure peanut oil, but cottonseed oil, a cheaper and inferior oil, was mixed with the peanut oil.

On May 19, 1919, the J. F. Sherman Mercantile Co., Trinidad, Colo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7242. Misbranding of kippered sardines. U. S. * * * v. 90 Cases of Kippered Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9883. I.S. No. 14952-r. S. No. E-1259.)

On March 12, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 90 cases, each containing 48 tins of kippered sardines, at Atlantic City, N. J., alleging that the article had been shipped on or about June 19, 1918, from Chicago, Ill., and transported from the State of Illinois into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Net Contents 13 ozs. California Kippered Sardines. Packed by the Curtis Corporation Long Beach (Los Angeles Harbor) California. * * *."

Misbranding of the article was alleged for the reason that the statement borne on the label of the cans, to wit, "Net Contents 13 ozs.," was false and misleading in that it deceived and misled the purchaser into the belief that each of said tins had a net weight of 13 ounces, whereas, in truth and in fact, each of the said tins did not have a net weight of 13 ounces, there being an average shortage of weight in each of said tins of kippered sardines. Misbranding of the article was alleged for the further reason that the product in the said cans was food in package form, and the quantity was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On August 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7243. Adulteration of oranges. U. S. * * * v. 60 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9888. I.S. No. 13407-r. S. No. E-1260.)

On March 14, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the said district a libel for the seizure and condemnation of 60 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about February 19, 1919, by the California Fruit Growers Exchange, Pomona, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Carlo Brand Washington Navels Grown and Packed by Pomona Fruit Growers Exchange, Pomona Los Angeles County Cal."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance unfit for food.

On March 29, 1919, Owen G. Butts, Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment

of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be examined under the direction of a representative of this department, and that such oranges as do not comply with the standards fixed by law and the regulations of this department be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

7244. Adulteration of oranges. U. S. * * * v. 138 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9839. I. S. No. 13407-r. S. No. E-1260.)

On March 14, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 138 boxes of oranges, remaining unsold in the original unbroken packages, at Pittsburgh, Pa., alleging that the article had been shipped on or about February 19, 1919, by the California Fruit Growers Exchange, Pomona, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Carlo Brand Washington Navel Grown and Packed by Pomona Fruit Growers Exchange Pomona Los Angeles County Cal."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance unfit for food.

On April 4, 1919, Owen G. Butts, Pittsburgh, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be examined under the direction of a representative of this department, and that such oranges as do not comply with the standards fixed by law and the regulations of this department be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

7245. Adulteration of evaporated milk. U. S. * * * v. 500 Cases of Evaporated Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9986. I. S. No. 7021-r. S. No. C-1139.)

On March 31, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases of evaporated milk, consigned on December 21, 1918, remaining unsold in the original unbroken packages at Litchfield, Ill., alleging that the article had been shipped and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Sunshine Brand Evaporated Milk * * * Manufactured by Litchfield Creamery Co., Litchfield, Ill."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed animal substance, being sour and curdled and having a strong, sour taste.

On June 17, 1919, the Litchfield Creamery Co., Litchfield, Ill., claimant, having admitted that part of the product was adulterated, as alleged, and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7246. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti and Robert Emilio (Emilio and Campolieti). Pleas of guilty. Fine, \$5. (F. & D. No. 10045. I. S. No. 2677-p.)

On July 22, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti and Robert Emilio, copartners, trading as Emilio & Campolieti, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on January 30, 1918, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "Finest Quality Olive Oil Extra Pure Termini Imerese Sicilia-Italia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist principally of cottonseed oil and to be short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure," "Guaranteed Absolutely Pure," and "Termini Imerese Sicilia-Italia $\frac{1}{4}$ gallon net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{4}$ gallon net of the article, but contained a less amount; for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; for the further reason that it was a mixture composed in part of cottonseed oil, prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that, by the statements borne on the label, it purported to be a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

7247. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti and Robert Emilio (Emilio and Campolieti). Pleas of guilty. Fine, \$5. (F. & D. No. 10045. I. S. No. 2678-p.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti and Robert Emilio, copartners, trading as Emilio & Campolieti, New York, N. Y., alleging ship-

ment by said defendants, in violation of the Food and Drugs Act, as amended, on January 30, 1918, from the State of New York into the State of Rhode Island, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "Olio Puro D'Oliva (picture of natives gathering ripe olives) * * * Garantito Produzione Propria."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist principally of cottonseed oil and to be short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio Puro D'Oliva," "Olio Puro D'Oliva Garantito Produzione Propria," and "Lucca Italy Net Contents Full Quarter Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained a full quarter gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain a full quarter gallon net of the article, but contained a less amount; for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that, by the statements on the label aforesaid, it purported to be a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

7248. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti and Robert Emilio (Emilio & Campolieti). Pleas of guilty. Fine, \$5. (F. & D. No. 10046. I. S. No. 13707-r.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti and Robert Emilio, copartners, trading as Emilio & Campolieti, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on February 14, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Finest Quality Olive Oil Extra Pure Termini Imerese Sicilia-Italia," which was adulterated and misbranded.

Analysis of samples of the article by the Bureau of Chemistry of this department showed it to consist principally of cottonseed oil and to be short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure," "Guaranteed Absolutely Pure," and "Termini Imerese Sicilia-Italia $\frac{1}{2}$ Gallon Net," or " $\frac{1}{4}$ Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon net of the article, but contained a less amount; for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; for the further reason that it was a mixture composed in part of cottonseed oil, prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; for the further reason that by the statements on the label aforesaid, it purported to be a foreign product when not so; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL, *Acting Secretary of Agriculture.*

7249. Adulteration and misbranding of cracked cottonseed cake or cottonseed meal. U. S. v. Phoenix Cotton Oil Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10051. I. S. Nos. 15207-p, 15210-p.)

On July 18, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Phoenix Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on December 28, 1917 (2 shipments), from the State of Tennessee into the State of Iowa, of quantities of an unlabeled article, but which was described in a contract of sale entered into by said defendant company as "Prime screened, cracked cottonseed cake, quality 7½% Ammonia" and one shipment of which was further invoiced as "7½% C/S Meal," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed 7.29 per cent of ammonia in one shipment and 7.14 per cent of ammonia in the other shipment.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, cottonseed meal containing less than an equivalent of 7½ per cent of ammonia, had been substituted in whole or in part for cottonseed meal containing an equivalent of 7½ per cent of ammonia, which the article purported to be.

Misbranding of the article in each shipment was alleged for the reason that it was a cottonseed meal containing less than an equivalent of $7\frac{1}{2}$ per cent of ammonia, and was offered for sale and sold under the distinctive name of another article, to wit, $7\frac{1}{2}$ per cent cottonseed meal. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 20, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7250. Misbranding of Pabst's Okay Specific. U. S. * * * v. 10 Dozen Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10055. I. S. No. 15321-r. S. No. E-1318.)

On April 21, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen bottles of Pabst's Okay Specific, consigned on March 1, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of volatile and fixed oils, plant extractives, including cubeb, balsam of copaiba and buchu, and 29.85 per cent by volume of alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the package, bottle label, wrapper, and circular accompanying the package bore certain statements, regarding the curative and therapeutic effects thereof, which were false and fraudulent in that they represented that the article was effective for the treatment, remedy, or cure of gonorrhœa, gleet, urethritis, and chronic mucous discharges, when, in truth and in fact, the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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